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TRANSCRIPT OF RECORD.

SUPREME COURT OF THE UNITED STATES.

OCTOBER TERM, 1906.

No. 446.

CORWIN D. BACHTEL, PLAINTIFF IN ERROR,

vs.

R. FRANK WILSON, SHERIFF OF STARK COUNTY, OHIO.

IN ERROR TO THE SUPREME COURT OF THE STATE OF OHIO.

FILED OCTOBER 9, 1906.

(20,411.)

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a Supreme Court of Ohio.

10166.

CORWIN D. BACHTEL, Plaintiff in Error,
vs.
FRANK WILSON, Sheriff of Stark County, Defendant in Error.

Error to the Circuit Court of Stark County.

I, *Emerson* E. *Lawson*, Clerk of the Supreme Court of Ohio, do hereby certify that in the case pending in this court on a petition in error as No. 10,166, wherein Corwin D. Bachtel was plaintiff in error, and Frank Wilson, Sheriff of Stark County, was defendant in error, a final judgment was rendered by the said Supreme Court of Ohio on the 29th day of June, A. D., 1906.

Witness my hand and Seal of said Supreme Court at Columbus, Ohio, this fourth day of October, A. D., 1906.

[Seal of the Supreme Court of the State of Ohio.]

LAWSON E. EMERSON,
Clerk of Supreme Court of Ohio,
By J. G. OBERMEYRE, *Deputy.*

b Supreme Court of Ohio.

No. 10166.

CORWIN D. BACHTEL, Plaintiff in Error,
vs.
FRANK WILSON, Sheriff of Stark County, Defendant in Error.

Assignment of Errors.

Now comes Corwin D. Bachtel, plaintiff in error, and files the following assignment of errors, which, he alleges, intervened to his prejudice in the proceedings had, and the judgment rendered by the Supreme Court of Ohio on June 29, 1906, to which he duly excepted.

The Supreme Court of Ohio erred in holding and deciding that section 30 of an act of the General Assembly of the State of Ohio entitled "an act to authorize free banking," passed March 21, 1851, as amended April 24, 1879, (3821-85) Bates' Annotated Statutes of Ohio, was valid. The validity of said section was denied and drawn in question by the plaintiff in error on the ground that it was repugnant to the Constitution of the United States, and in contravention thereof.

The said errors are more particularly set forth as follows:

The Supreme Court of Ohio erred in holding and deciding that the privileges and immunities of the plaintiff in error as a citizen of the

United States were not abridged, and that he was not deprived of his liberty and property by the State of Ohio without due process of law nor denied the equal protection of the laws as guaranteed by the Fourteenth Amendment of the Constitution of the United c States by being arrested and prosecuted under an indictment found and returned solely under favor of section 30 of the above recited acts.

For which errors the plaintiff in error Corwin D. Bachtel prays that the said judgment of the Supreme Court of Ohio, dated June 29, 1906, be reversed and a judgment be rendered in favor of the plaintiff in error and for costs.

WELTY & ALBAUGH,
VIRGIL P. KLINE,
WM. A. LYNCH,
Attorneys for Corwin D. Bachtel, Plaintiff in Error.

d [Endorsed:] No. 10166. Supreme Court of Ohio. Corwin D. Bachtel, Plaintiff in error, *vs.* R. Frank Wilson, Sheriff of Stark County, Ohio, Defendant in error. Assignment of errors. Filed Sep. 14 1906 Supreme Court of Ohio, L. E. Emerson, Clerk. Welty & Albaugh, Virgil P. Kline and Wm. A. Lynch, Attorneys for plaintiff in error.

e Supreme Court of Ohio.

No. 10166.

CORWIN D. BACHTEL, Plaintiff in Error,
v.
R. FRANK WILSON, Sheriff of Stark County, Ohio, Defendant in Error.

Petition for Writ of Error.

Assignment of Errors and Prayer.

Considering himself aggrieved by the final decision of the Supreme Court of Ohio in rendering judgment against him in the above entitled case, the plaintiff in error, a citizen of the United States, born therein and a resident of the State of Ohio, hereby prays a writ of error from the said decision and judgment to the United States Supreme Court and an order fixing the amount of a supersedeas bond.

And the said Corwin D. Bachtel assigns the following errors in the records and proceedings of the said case:

The Supreme Court of Ohio erred in holding and deciding that section 30 of an act of the General Assembly of the State of Ohio entitled "an act to authorize free banking," passed March 21, 1851, as amended April 24, 1879, (3821-85) Bates' Annotated Statutes of Ohio, was valid. The validity of said section was denied and drawn

in question by the plaintiff in error on the ground that it was repugnant to the Constitution of the United States, and in contravention thereof.

The said errors are more particularly set forth as follows:

The Supreme Court of Ohio erred in holding and deciding that the privileges and immunities of the plaintiff in error as a
f citizen of the United States were not abridged, and that he was not deprived of his liberty and property by the State of Ohio without due process of law nor denied the equal protection of the laws as guaranteed by the Fourteenth Amendment of the Constitution of the United States by being arrested and prosecuted under an indictment found and returned solely under favor of section 30 of the above recited act.

For which errors the plaintiff in error Corwin D. Bachtel prays that the said judgment of the Supreme Court of Ohio dated June 29, 1906 be reversed and a judgment be rendered in favor of the plaintiff in error and for costs.

WELTY & ALBAUGH,
VIRGIL P. KLINE,
WM. A. LYNCH,
Attorneys for Corwin D. Bachtel,
Plaintiff in Error.

STATE OF OHIO, *Supreme Court, ss:*

Writ of eror allowed; and the said Corwin D. Bachtel having presented a bond in the sum of seven thousand dollars which is approved by me, this allowance shall act as a supersedeas and stay of all further proceedings under said indictment until final judgment in the Supreme Court of the United States.

JOSEPH McKENNA,
Asso. Justice.

Sept. 21st 1906.

g [Endorsed:] No. 10166. Supreme Court of Ohio. Corwin D. Bachtel, Plaintiff in error, *v.* R. Frank Wilson, Sheriff of Stark County, Ohio, Defendant in error. Petition for Writ of Error. Assignment of Errors and Prayer. Filed Oct. 4, 1906. Supreme Court of Ohio. L. E. Emerson, Clerk. Welty & Albaugh, Virgil P. Kline and Wm. A. Lynch, Attorneys for plaintiff in error.

h CORWIN D. BACHTEL, Plaintiff in Error,

v.

R. FRANK WILSON, Sheriff of Stark County, Ohio, Defendant in Error.

Bond.

Know all men by these presents, that we Corwin D. Bachtel as principal and The Bankers' Surety Company, a corporation, as surety, are held and firmly bound unto R. Frank Wilson, Sheriff

of Stark County, Ohio, in the sum of Seven Thousand Dollars, to be paid to the said defendant in error, to which payment, well and truly to be made, we bind ourselves jointly and severally firmly by these presents.

Dated this 17th day of September, 1906.

Whereas, the above-named plaintiff in error seeks to prosecute his writ of error to the U. S. Supreme Court to reverse the judgment rendered in the above entitled action by the Supreme Court of the State of Ohio.

Now, therefore, the condition of this obligation is such, that if the above-named plaintiff in error shall prosecute his said writ of error to effect, and answer all costs and damages that may be adjudged if he shall fail to make good his plea, and abide by the order and judgment of the Supreme Court of the United States, then this obligation to be void, otherwise to remain in full force and effect.

This bond executed in duplicate, one only to be enforced.

CORWIN D. BACHTEL.
THE BANKERS' SURETY COMPANY.
HARVEY D. GOULDER, *President.*

Attest:
P. W. HARVEY, *Secretary.*

[Seal of the Bankers' Surety Company, Cleveland, Ohio.]

i STATE OF OHIO, *Cuyahoga County, ss:*

Harvey D. Goulder and P. W. Harvey, being each duly sworn on oath, depose and say; we are each of lawful age and Harvey D. Goulder is the President and P. W. Harvey is the Secretary of The Bankers' Surety Company, a corporation organized and existing under the laws of the State of Ohio, and authorized by the laws of said state to become surety upon bonds like the one above written, and for the purposes therein set forth; that we know the contents of the foregoing instrument and that the same has been duly executed by us, as the President and Secretary of the said The Bankers' Surety Company under its corporate seal by authority of its Board of Directors, and that said The Bankers' Surety Company is worth more than the sum of Seven thousand Dollars over and above its debts and liabilities.

HARVEY D. GOULDER.
P. W. HARVEY.

Subscribed and sworn to before me September 17, 1906.
[SEAL.]
E. H. FISHMAN,
Notary Public, Cuyahoga County, Ohio.

Bond approved and to operate as a supersedeas and stay of proceedings.

JOSEPH McKENNA,
Asso. Justice.

Sept. 21st, 1906.

j [Endorsed:] No. 10166. Corwin D. Bachtel, Plaintiff in Error, *v.* R. Frank Wilson, Sheriff of Stark County, Ohio, Defendant in Error. Bond. Filed Oct. 4, 1906. Supreme Court of Ohio. L. E. Emerson, Clerk.

k *(Writ of Error.)*

UNITED STATES OF AMERICA, *ss:*

[Seal of the Supreme Court of the United States.]

The President of the United States of America to the Honorable the Judges of the Supreme Court of the State of Ohio, Greeting:

Because in the record and proceedings, as also in the rendition of the judgment of a plea which is in the said Court before you, or some of you, being the highest court of law or equity of the said State in which a decision could be had in the said suit between Corwin D. Bachtel and R. Frank Wilson, sheriff of Stark County, Ohio, wherein was drawn in question the validity of a statute of the State of Ohio, and an authority exercised under said statute, on the ground of their being repugnant to the Constitution of the United States, and the decision was in favor of their validity, a manifest error hath happened to the great damage of the said Corwin D. Bachtel, as by his complaint appears. We being willing that error, if any hath been, should be duly corrected, and full and speedy justice done to the parties aforesaid in this behalf, do command you, if judgment be therein given, that then, under your seal, distinctly and openly, you send the record and proceedings aforesaid, with all things concerning the same, to the Supreme Court of the United States, together with this writ, so that you have the same in the said Supreme Court at Washington, within 30 days from the date hereof, that the record and proceedings aforesaid being inspected, the said Supreme Court may cause further to be done therein to cor-
l rect that error, what of right, and according to the laws and customs of the United States, should be done.

Witness the Honorable Melville W. Fuller, Chief Justice of the United States, the 21st day of September, in the year of our Lord one thousand nine hundred and six.

JAMES H. McKENNEY,
Clerk Supreme Court U. S.

m [Endorsed:] No. 10166. Supreme Court of United States. Corwin D. Bachtel, Plaintiff in error, *v.* R. Frank Wilson, Sheriff of Stark County, Ohio, Defendant in error. Writ of Error. Filed Oct. 4, 1906. Supreme Court of Ohio. L. E. Emerson, Clerk.

n *(Citation.)*

THE UNITED STATES OF AMERICA, *ss:*

The President of the United States to R. Frank Wilson, Sheriff of Stark County, Ohio, Greeting:

You are hereby cited and admonished to be and appear at and before the Supreme Court of the United States at Washington, D. C., within thirty days from the date hereof, pursuant to a writ of error filed in the office of the clerk of the Supreme Court of the State of Ohio, wherein Corwin D. Bachtel is plaintiff in error and you are defendant in error, to show cause, if any there be, why the judgment rendered against the said plaintiff in error as in said writ of error mentioned should not be corrected, and why speedy justice should not be done the parties in that behalf.

Witness the signature of the undersigned Associate Justice of the Supreme Court of the United States this 21st day of September, A. D. 1906.

JOSEPH McKENNA,
Associate Justice.

CANTON, OHIO, *September* 25, 1906.

I, attorney of record for the defendant in error in the above entitled case, hereby acknowledge due service of the above citation, and enter an appearance in the Supreme Court of the United States.

CHARLES C. UPHAM &
JOHN W. CRAINE,
Attorneys for R. Frank Wilson, Sheriff of Stark County, Ohio.

o [Endorsed:] No. 10166. Supreme Court of United States. Corwin D. Bachtel, Plaintiff in Error, *v.* R. Frank Wilson, Sheriff of Stark County, Ohio, Defendant in Error. Citation. Filed Oct. 4, 1906. Supreme Court of Ohio. L. E. Emerson, Clerk.

p In the Supreme Court for the State of Ohio.

No. 10166.

CORWIN D. BACHTEL, Plaintiff in Error,
vs.
FRANK WILSON, Sheriff of Stark County, Defendant in Error.

Petition in Error.

Plaintiff in error Corwin D. Bachtel states that in the vacation after the February term, A. D. 1906, of the Circuit Court of Stark County, Ohio, to wit: on May 24th, 1906, the Plaintiff in error filed in the office of the Clerk of said Circuit Court, his petition for a writ of *habeas corpus* and on that day applied to the Hon. Thomas T.

McCarty, one of the judges of said Circuit for a writ of *habeas corpus* to be issued to Frank Wilson, Sheriff of Stark County, Ohio, which writ was thereupon on that day issued by order of said Judge, commanding said Frank Wilson Sheriff as aforesaid, to have the body of the petitioner before the Judges of said Circuit Court or any two of them on June 1st, 1906; that said Frank Wilson, Sheriff as aforesaid made due return of said writ as will more fully appear by the transcript of said proceedings filed herein; that thereupon such proceedings were had under said writ; that in the vacation after said February term, 1906, to wit, on June 8th, 1906, the Judges of said Circuit Court rendered a judgment upon said application writ and return, that said plaintiff in error the petitioner therein should be remanded to the custody of the defendant in error, Sheriff of Stark County, Ohio, to be held by him in custody as he was held at the time of the issue of said writ of *habeas corpus* and that the
q plaintiff in error pay the costs of said proceedings taxed at $—. A full transcript of the final record of the proceedings had under said application and writ and a transcript of the docket and Journal Entries therein are filed herewith.

There is error in said record and proceedings in this, to wit:

First. That said Judges of said Circuit Court erred in holding that the Court of Common Pleas of said Stark County had jurisdiction of the person of the defendant at the time of the issuance of said writ.

Second. That said Judges erred in holding that Section # 30 of the act of March 21, 1851, entitled "an act to authorize free banking" as amended April 24, 1879 (Section 3821-85 of the Annotated Statutes of Ohio) was not void and invalid as in violation of the provisions of article 1, Sections 1 and 2 of the Constitution of Ohio.

Third. That said Judges erred in holding that Section # 30 of the act of March 21, 1851, entitled "an act to authorize free banking" as amended April 24, 1879 (Section 3821-85 of the Annotated Statutes of Ohio) was not void and invalid as in violation of the provisions of Article 2 Section # 26 of the Constitution of Ohio.

Fourth. That said Judges erred in holding that Section # 30 of the act of March 21, 1851, entitled "an act to authorize free banking" as amended April 24, 1879 (Section 3821-85 of the Annotated Statutes of Ohio) was not void and invalid as in violation of section 1 of the 14th amendment to the Constitution of the United States.

Fifth. That said Judges erred in remanding the plaintiff in error to the custody of the Sheriff of said Stark County, Ohio, instead of ordering his discharge.

Sixth. And for other errors apparent on the face of the record.

r Plaintiff in error therefore prays that said judgment and order be reversed and that he be restored to all things he has lost by reason thereof.

CORWIN D. BACHTEL,
By ALBAUGH & WELTY,
VIRGIL P. KLINE,
JOSEPH M. BLAKE,
WM. A. LYNCH,
His Attorneys.

Issue and service of summons in error upon this petition in error are hereby waived and appearance entered.
June 9th, 1906.

FRANK WILSON,
By JOHN W. VRAINE &
CHARLES C. UPHAM,
His Attorneys.

s In the Supreme Court of the State of Ohio.

SATURDAY, *June* 9, 1906.

10166.

CORWIN D. BACHTEL
vs.
FRANK WILSON, Sheriff.

Entry.

On motion of plaintiff in error and for good cause shown it is hereby ordered by the court that the execution of the judgment herein be suspended upon plaintiff in error giving an undertaking in the sum of $7000.00 subject to the approval of the Clerk of Courts of Stark County, Ohio, until the final determination of this action in this court.

t Supreme Court of the State of Ohio, January Term, A. D. 1906, to-wit, Friday, June 29th.

THE STATE OF OHIO, *City of Columbus:*

10166.

CORWIN D. BACHTEL
vs.
FRANK WILSON, Sheriff.

Error to the Circuit Court of Stark County.

This cause came on to be heard upon the petition in error and was argued by counsel of the respective parties. The Court find from the record of the Circuit Court brought before it by said petition in error, that the plaintiff in error was indicted by a grand jury of the Court of Common Pleas of Stark County, Ohio, charging him with the commission of an offense contrary to the provisions of a statute of the State of Ohio, to-wit: section thirty of an act of the General Assembly of the state entitled "an act to authorize free banking," passed March 21, 1851, as amended April 24, 1879

(3821-85) Bates Annotated Statutes of Ohio; that said section of said statute was and is the only statute or law of the state of Ohio under which said indictment was or could be found returned or prosecuted; that upon the return of said indictment to said court of Common Pleas the plaintiff in error demurred to said indictment upon the ground that said statute, section thirty aforesaid, was unconstitutional and that said statute and indictment were void for the reason among others that they were repugnant to and contravened the provisions of section one of the fourteenth amendment of the constitution of the United States and that therefore said Court of Common Pleas was without jurisdiction in law over the plaintiff in error, or in respect of the charge made in said indictment, which demurrer was by said Court of Common Pleas heard and overruled; that the plaintiff in error thereafter petitioned one of the
u judges of the Circuit Court of the State of Ohio, in and for said Stark County for a writ of *habeas corpus* alleging in said petition that he was unlawfully imprisoned and deprived of his liberty by the defendant in error by virtue of the order and writ of said Court of Common Pleas made and issued under said indictment, and that said imprisonment was without legal warrant because said Court of Common Pleas was without jurisdiction for the reason that said statute and indictment were void because they were repugnant to section one article one, section two article one, and section 26 article two of the constitution of the State of Ohio, also section one of the fourteenth amendment of the constitution of the United States; that the judge of said Circuit Court petitioned as aforesaid, caused said writ of *habeas corpus* to issue to the defendant in error returnable to the three judges of said Circuit Court or any two of them; that upon the return of said writ the plaintiff in error contended at the hearing before the judges of said Circuit Court to whom said return was made that said statute and indictment were void for the reasons aforesaid, but said judges overruled said contention and adjudged that said statute and indictment were not repugnant to said section one article one, section two, article one, section 26 article two of the constitution of the State of Ohio, or section one of the fourteenth amendment to the constitution of the United States or either of them; that in his petition in error to this court the plaintiff in error assigned as error in the judgment of the judges of said Circuit Court, that said judges erred in holding that section 30 of the act of March 21, 1851, entitled "an act to authorize free banking" as amended April 24, 1879, section (3821-85) of the Annotated
v Statutes of Ohio, was not void and invalid as in violation of section one article one, section two article one and section 26 article two of the constitution of the state of Ohio and of section one of the fourteenth amendment of the constitution of the United States. Upon the hearing of this cause before this court the plaintiff in error contended that said statute was void and invalid for the reasons so as aforesaid assigned. On consideration whereof it is decided and adjudged that said statute and indictment are not void nor invalid nor repugnant to the said section one, section two article one and section 26 article two of the constitution of the State of Ohio or sec-

tion one of the fourteenth amendment to the constitution of the United States or either of them or for any of the reasons assigned in said petition in error, and it is adjudged and ordered by this court that the judgment and order of said judges of said Circuit Court be and they are hereby affirmed and that the order heretofore granted suspending the judgment of said Circuit Court be and the same is hereby dissolved and it appearing to the Court that there were reasonable grounds for this proceeding in error, it is ordered that no fee or penalty shall be assessed herein. It is further ordered that the defendant in error recover his costs from the plaintiff in error herein expended taxed at $—.

Ordered that a special mandate be sent to the judges of the Circuit Court of Stark County to carry this judgment into execution.

w Supreme Court of Ohio, January Term, 1906.

10166.

CORWIN D. BACHTEL, Plaintiff in Error,
vs.
FRANK WILSON, Sheriff of Stark County Defendant in Error.

Error to Circuit Court of Stark County.

June 9. Petition in error, waiver, Circuit Court Transcript and original papers filed.
9. Entry suspending judgment. Bond $7000.00. J. 21,119.
9. Copy of entry suspending judgment sent Clerk.
12. Motion by defendant to advance and notice filed.
19. " to advance allowed. J. 21, 130.
22. Certificate of Sec'y of State filed.
29. Judgment affirmed.
July 24. Mandate issued.
9. Original papers sent Clerk.
Sept. 14. Assignment of Errors filed.
Oct. 4. Petition for Writ of Error filed.
Bond in duplicate filed.
Writ of Error filed.
Citation on Writ and entry of appearance filed.

x Supreme Court of Ohio.

10166.

CORWIN D. BACHTEL, Plaintiff in Error,
vs.
FRANK WILSON, Sheriff of Stark County, Defendant in Error.

Error to the Circuit Court of Stark Co.

I, Lawson E. Emerson, Clerk of the Supreme Court of Ohio, do hereby certify that the foregoing is a full and true transcript of the

record of the pleadings, proceedings and final judgment and of the docket and journal entries in the above entitled case in said Supreme Court. And that attached hereto is a full transcript of the record of the pleadings, proceedings and judgment in said Circuit Court of Stark County which was brought before our Supreme Court by petition in error filed in this case and upon which said Supreme Court rendered its said judgment, together with the mandates issued out of this Court to said Circuit Court to carry into effect the order of the supersedeas and the final judgment herein of said Supreme Court.

Witness my hand and the seal of the Supreme Court of Ohio this fourth day of October, A. D. 1906.

[Seal the Supreme Court of the State of Ohio.]

LAWSON E. EMERSON, *Clerk,*
By J. G. OBERMEYRE, *Deputy.*

1 At a term of the Circuit Court begun and held at the Court House in the City of Canton within and for the County of Stark, in the Fifth Judicial Circuit of the Circuit Court of the State of Ohio on the 18th day of June, in vacation after the February Term, A. D. 1906, by and before their honors, M. H. Donahue, T. T. McCarty and Frank Taggart, Judges of said Court, Judge M. H. Donahue, Presiding.

In the record of proceedings of said court then and there held among other things appears the following, to-wit:—

THE STATE OF OHIO, *Stark County, ss:*

In the Circuit Court.

Docket 2, Page 718.

In the Matter of the Application of CORWIN D. BACHTEL for Writ of *Habeas Corpus.*

Habeas Corpus.

Be it remembered that heretofore, to wit, on the 11th day of June in the year of our Lord nineteen hundred and six there was duly filed in the Clerk's office of said Circuit Court a certain petition in this cause, which petition reads and is in the words and figures following, to wit:—

Petition.

In the Circuit Court of the State of Ohio, Stark County, *ss:*

In the Matter of the Application of CORWIN D. BACHTEL for a Writ of *Habeas Corpus.*

The petitioner respectfully states that he is unlawfully restrained of his liberty by R. Frank Wilson, sheriff of said county, at the county jail of said county. The pretended cause of said imprisonment is an order made by the Court of Common Pleas of said County, committing the petitioner to detention in the county jail of said county to await his trial in said court upon certain pretended indictments, numbered 2491, 2492, 2493, 2494, 2495, 2497, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2508, 2509, 2511, 2512, 2513, 2514, 2519 and 2520 which said pretended indictments were pre-
2 sented under and solely by virtue of a certain statute to wit: section 30 of an act entitled "an act to authorize Free Banking" passed by the General Assembly of the State of Ohio, March 21, 1851, as amended April 24, 1879, (3821-85) of the Annotated Statutes of Ohio; that said statute is in contravention of the 14th amendment of the constitution of the United States and of aricle 1, sections 1 and 2 and article 11, section 26 of the constitution of Ohio, is unconstitutional and void, and that said court was without jurisdiction, power or authority to issue said order and in law the same is void. Wherefore your petitioner prays that a writ of *habeas corpus* may be granted, and that he may be discharged from such unlawful restraint and imprisonment.

WM. A. LYNCH AND
WELTY AND ALBAUGH,
Attorneys for Corwin D. Bachtel.

STATE OF OHIO, *Stark County, ss:*

Corwin D. Bachtel being duly sworn says that he is the petitioner in this proceeding; that the facts stated and allegations contained in the foregoing petition are true as he verily believes.

CORWIN D. BACHTEL.

Sworn to by said Corwin D. Bachtel before me and by him signed in my presence this 11th day of June, 1906.

JACOB J. WISE, *Clerk,*
By A. W. AGLER, *Deputy.*

And afterwards on the 11th day of June, A. D. 1906, during vacation after the February Term of the said Circuit Court at Chambers, to-wit:—

Journal B, Page 460.

Be it remembered that on this day, at the Court House at the City of Canton, in said County, came Corwin D. Bachtel and his Attorneys

William A. Lynch and Welty & Albaugh, and submitted to the undersigned, one of the Judges of said Court his petition for a Writ of *Habeas Corpus*, which has been filed in the office of the Clerk of said Court, and said petition being heard it is now here ordered that the prayer of the petitioner for the issuance of said Writ be granted and that the Clerk of the Court shall issue the same to the sheriff of said County commanding him to have the body of said Corwin
3 D. Bachtel before the undersigned at the Court-house Court room number two, at one o'clock P. M. this day.

Done at Canton, June 11, 1906.

T. T. McCARTY,
Judge of the Circuit Court of Stark County, Ohio.

And thereupon on this same day there was duly issued from the Clerk's office of said court a certain writ of *habeas corpus* in this cause which writ of *habeas corpus* reads and is in the words and figures following, to-wit:—

Writ of Habeas Corpus Issued.

THE STATE OF OHIO:

Circuit Court of Stark County.

To the Sheriff of Stark County, Greeting:

We command you that the body of Corwin D. Bachtel by you imprisoned and restrained of his liberty, as it is said you take and have before Thos. T. McCarty, a Judge of our Circuit Court, or in case of his absence or disability, before some other Judge of the same Court, at the Court House *House* in said County, forthwith, to do and receive what said Judge shall then and there consider concerning him in his behalf; and summon the said sheriff then and there to appear before said Judge to show the cause of the taking and detention of the said Corwin D. Bachtel. Witness my signature and the seal of said Court, at Canton, this 11th day of June, A. D. 1906.

JACOB J. WISE,
[SEAL.] *Clerk of said Circuit Court.*

And thereupon on this same day the Sheriff of Stark County duly returned to the Clerk's office of said Court the foregoing writ of *habeas corpus* issued to said sheriff which return reads and is in the words and figures following, to wit:—

Writ of Habeas Corpus Returned.

Received this writ on the 11th day of June, 1906, and in pursuance of the command thereof, I hereby certify that the within named Corwin D. Bachtel was taken into my custody on the 11th day of June, 1906, and is now detained by me, by virtue of an order of Hon. W. W. Hole, one of the Judges of the Court of Common Pleas

of the First Subdivision of the 9th Judicial District of the State of Ohio and in Stark County, and by reason of this surrender of the said Corwin D. Bachtel, by his sureties in open court on an indictment as hereinafter described of the said Court of Common Pleas in Stark County, Ohio, on June 11, 1906. The said Corwin
4 D. Bachtel having been heretofore indicted by the Grand Jury of Stark County, Ohio, for an offense under section 3821-85 of the Revised Statutes of the State of Ohio, and known as the free banking act, a copy of said indictments are hereto attached marked "Exhibit A," and made a part of this return, and I now have the body of the said Corwin D. Bachtel before this Court as within commanded.

R. FRANK WILSON,
Sheriff of Stark County, Ohio.

EXHIBIT "A."

Indictment for Making False Entry in Report.

Revised Statutes, Secs. 7193-4, 7206-7-10-15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, Ohio, of the Term of May in the Year of our Lord One Thousand Nine Hundred and Six.

The Jurors of the Grand Jury of the County of Stark and State of Ohio, then and there duly impaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their said oaths, in the name and by the authority of the State of Ohio, do find, present: That Corwin D. Bachtel late of said County on or about the 15th day of October, in the year of our Lord one thousand nine hundred and four, at the County of Stark aforesaid, being then and there the cashier of The Canton State Bank, a banking Company organized and incorporated under the law of the State of Ohio, known as and being the free banking act of 1851, and found in the Revised Statutes of Ohio, and which banking Company was located and engaged in the business of banking in the City of Canton, in said County of Stark and State of Ohio, unlawfully and knowingly did make a false entry in a report of the said banking Company showing its condition at the close of business on October 12, 1904, to W. D. Guilbert, Auditor of the State of Ohio, in compliance with the requisition made October 12, 1904, by the said W. D. Guilbert, Auditor of the State of Ohio, to the cashier of The Canton State Bank, Canton, Ohio, in ac-
5 cordance with the law of the State of Ohio, with intent then and there to injure and defraud the said, The Canton State

Bank, its directors and depositors and to deceive W. D. Guilbert, the Auditor of the State of Ohio, and to deceive Austin C. Brant, the President of said banking Company and to deceive Silliam Wagner and William R. Zollinger part of the directors of the said banking company, which said report is in the words and figures following, to-wit:—

Dr. Resources.	Dollars. Cts.	Cr. Liabilities.	Dollars. Cts.
1. Loans on real estate....	660618.84	1. Capital stock paid in.....	180000.00
3. Overdrafts	1921.32	2. Surplus fund.....	19000.00
7. Due from other banks and bankers..... ...	53318.29	3. Undivided profits.	7999.27
9. Furniture and fixtures..	2000.00	6. Individual deposits.....	525051.02
10. Current expenses.	122.62	8. Notes and bills rediscounted	15000.00
12. Cash items.....	11955.87		
13. Gold coin ..... $4750 Silver coin..... 981.35	5731.35		
14. National bank notes & 15. United States notes.....	11382.00		
Total	747050.29	Total....	747050.29

STATE OF OHIO,
County of Stark:

Sworn to and subscribed before me, this 15th day of October, 1904, at 9 o'clock.

JOHN T. BLAKE,
Notary Public. [SEAL.]

I, Corwin D. Bachtel, Cashier of "The Canton State Bank," do solemnly swear that the above statement is true, to the best of my knowledge and belief.

CORWIN D. BACHTEL,
Cashier.

This Bank was incorporated May, 1900, under act of 1851, and commenced business May 21", 1900.

CORWIN D. BACHTEL, *Cashier.*

which said false entry so made as aforesaid, by the said Corwin D. Bachtel, cashier as aforesaid, of the said The Canton State Bank, was as follows: "due from other banks and bankers 53318.29" thereby making said report to show that at the close of business of said bank on October 12, 1904, there was due to the said The Canton State Bank from other banks and bankers Fifty-three thousand three hundred and eighteen and 29/100 ($53318.29) dollars, whereas in truth and in fact, and at the time well known to the said Corwin D. Bachtel cashier as aforesaid, that there was not due the said The Canton State Bank Fifty-three thousand three hundred and eighteen and 29/100 ($53318.29) dollars, but there was only due said bank from other banks and bankers the sum of Forty five thousand
6 ($45000.00) dollars, which was much less than said fifty three thousand three hundred and eighteen and 29/100 dollars ($5318.29) so reported in said entry by the said Corwin D. Bachtel as aforesaid, contrary to the statute in such case made and provided and against the peace and dignity of the State of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

Endorsed as follows: Indictment for making False Entry in Report Oct. 15, 1904. A True Bill. Joseph Folk, Foreman of the Grand Jury.

Certificate.

THE STATE OF OHIO, *Stark County, ss:*

I, Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a full, true and correct copy of the original indictment, together with the endorsements thereon, now on file in my office.

Witness my hand and the seal of said Court, at Canton, Ohio, this 12th day of June, 1906.

JACOB J. WISE, *Clerk.* [SEAL.]

Indictment for Making False Entry in Report of Condition of Bank.

Revised Statutes, Secs. 7193-4, 7206-7-10-15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, Ohio, of the Term of May in the Year of Our Lord One Thousand Nine Hundred and Six.

The Jurors of the Grand Jury of the County of Stark and State of Ohio, then and there duly impaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said county, on their said oaths, in the name and by the authority of the State of Ohio, do find, present: That Corwin D. Bachtel late of said County, on the 9th day of March in the year of our Lord one thousand nine hundred and five, at the County of Stark aforesaid being then and there the Cashier of The Canton State Bank, a banking Company organized and incorporated under the law of The State of Ohio, known as and being the free banking act of 1851 and found in the Revised Statutes of Ohio, and which banking Company was located and engaged in the business
7 of banking in the City of Canton, in said County of Stark and State of Ohio, unlawfully and knowingly did make a false entry in a report of the said banking Company showing its condition at the close of business March 6th, 1905, to W. D. Guilbert, Auditor of the State of Ohio, in compliance with a requisition made March 7th, 1905, by the said W. D. Guilbert, Auditor of the State *of the State* of Ohio to the cashier of The Canton State Bank, Canton, Ohio, in accordance with the laws of the State of Ohio, with intent then and there to injure and defraud the said, The Canton State Bank, its directors and depositors and to deceive W. D. Guilbert

the Auditor of the State of Ohio, and to deceive Austin C. Brant the President of said banking company and to deceive William Wagner, William R. Zollinger and William H. Hoover part of the directors of said banking Company which said report is in the words and figures following, to wit:—

Dr. Resources.	Dollars. Cts.	Cr. Liabilities.	Dollars. Cts.
1. Loans on real estate,		1. Capital stock paid in.....	180000.00
2. All other loans and discounts.....	742807.81	2. Surplus.	10000.00
3. Over drafts	4925.98	3. Undivided profits...	7988.39
4. United States Bonds on hand		4. State bank notes outstanding	
5. State bonds on hand		5. Dividends unpaid.....	9.00
6. Other stocks, bonds & mortgages		6. Individual deposits	602555.45
7. Due from other banks and bankers.....	56270.74	7. Due to banks and bankers	
8. Real estate		8. Notes and bills rediscounted.....	30000.00
9. Furniture and fixtures..	1500.00	9. Bills payable	
10. Current expenses.....	1636.18		
11. Premium on bonds			
12. Cash items.....	10784.79		
13. Gold coin .... 2320 Silver coin..... 2813.34	5233.34		
14. National bank notes			
15. United States notes....	16394.00		
Total.....	849552.84	Total.....	849552.84

STATE OF OHIO, *County of Stark:*

Sworn to and subscribed before me this 9th day of March, 1905.

JOHN T. BLAKE,
Notary Public. [SEAL.]

I, Corwin D. Bachtel, of "The Canton State Bank," do solemnly swear that the above is true to the best of my knowledge and belief.

CORWIN D. BACHTEL,
Cashier.

This Bank was incorporated May 17", 1900, under act of 1851, and commenced business May 21", 1900.

CORWIN D. BACHTEL, *Cashier.*

which said false entry so made as aforesaid by the said Corwin D. Bachtel cashier of the said The Canton State Bank was as follows:

"nites and bills rediscounted 30000.00," thereby making said
8 report to show that at the close of business of said bank on March 6, 1905, there were only notes and bills rediscounted to the amount of Thirty thousand ($30000.00) dollars, whereas in truth and in fact, at the time well known to the said Corwin D. Bachtel cashier as aforesaid, the notes and bills rediscounted by said bank at the close of business on March 6, 1905, were largely in excess of Thirty thousand ($30000.00) dollars, and amounted to more than One hundred thousand (100000.00) dollars, all of which was at the time he made said false entry in said report well known to the said Corwin D. Bachtel as aforesaid, contrary to the statute in such case made and provided and against the peace and dignity of the State of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

Endorsed as follows: Indictment for making false entry in report of condition of bank March 9th, 1905. A True Bill. Joseph Folk, Foreman of the Grand Jury.

Certificate.

THE STATE OF OHIO, *Stark County, ss:*

I, Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a full, true and correct copy of the original indictment, together with the endorsements thereon, now on file in my office.

Witness my hand and the seal of said court at Canton, Ohio, this 12th day of June, 1906.

JACOB J. WISE, *Clerk.* [SEAL.]

Indictment for Making False Entry in Report.

Revised Statutes, Secs. 7193-4, 7206-7-10-15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, Ohio, of the Term of May in the Year of Our Lord One Thousand Nine Hundred and Six.

The Jurors of the Grand Jury of the County of Stark and State of Ohio, then and there duly impaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their said oaths, in the name and by the authority of the State of Ohio, do find present:—That Corwin D. Bachtel late of said County on or about the 15th day of October in the year of our Lord one thousand nine hundred and four, at the County of Stark aforesaid being then and there the cashier of
9 The Canton State Bank, a banking Company organized and incorporated under the law of the State of Ohio, known as and being the free banking act of 1851, and found in the Revised Statutes of Ohio, and which banking Company was located and engaged in the business of banking in the City of Canton, in said County of Stark, and State of Ohio, unlawfully and knowingly did make a false entry in a report of the said banking Company, showing its condition at the close of business on October 12, 1904, to W. D. Guilbert, Auditor of the State of Ohio, in compliance with the requisition made October 12, 1904, by the said W. D. Guilbert, Auditor of the State of Ohio, to the cashier of The Canton State Bank, Canton, Ohio, in accordance with the law of the State of Ohio, with intent then and there to injure and defraud the said, The Canton State Bank, its directors and depositors and to deceive

W. D. Guilbert the Auditor of the State of Ohio, and to deceive Austin C. Brant the President of said banking Company and to deceive William Wagner and William R. Zollinger part of the directors of the said banking Company, which said report is in the words and figures following, to wit:—

Dr. Resources.	Dollars.	Cts.	Cr. Liabilities.	Dollars.	Cts.
1. Loans on real estate	666618	84	1. Capital stock paid in	180000	00
3. Overdrafts	1921	32	2. Surplus fund	19000	00
7. Due from other banks and bankers	53318	29	3. Undivided profits	7999	27
9. Furniture and fixtures	2000	00	6. Individual deposits	525051	02
10. Current expenses	122	62	8. Notes and bills rediscounted	15000	00
12. Cash items	11955	84			
13. Gold coin $4750 Silver coin $981.35	5731	35			
14. National bank notes & 15. United States notes	11382	00			
Total	747050	29	Total	747050	29

STATE OF OHIO,
County of Stark:

Sworn to and subscribed before me this 15th day of October, 1904, at 9 o'clock.

JOHN T. BLAKE,
Notary Public. [SEAL]

I, Corwin D. Bachtel, Cashier, of "The Canton State Bank," do solemnly swear that the above statement is true, to the best of my knowledge and belief.

CORWIN D. BACHTEL,
Cashier.

This Bank was incorporated May, 1900, under act of 1851, and commenced business May 21", 1900.

CORWIN D. BACHTEL, *Cashier.*

which said false entry in said report so made as aforesaid, by the said Corwin D. Bachtel cashier of The Canton State Bank as aforesaid, is false in this, to-wit:—"notes and bills rediscounted 15000.00" thereby making said report to show that at the close of business of said bank on October 12, 1904, there were only notes and bills
10 rediscounted to the amount of Fifteen thousand ($15000.00) dollars, whereas in truth and in fact, and at the time well known to the said Corwin D. Bachtel cashier as aforesaid, said notes and bills rediscounted of said bank at the close of business on said 12th day of October, 1904, were more than the sum of Fifteen thousand ($15000.00) dollars, but were in fact and should have been reported as the sum of Thirty nine thousand ($39000.00) dollars, all of which was well known to the said Corwin D. Bachtel cashier as aforsaid, at the time he made said false entry in said report contrary to the statute in such case made and provided and against the peace and dignity of the State of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

Endorsed as follows: Indictment for making False Entry in Report Oct. 15, 1904. A True Bill. Joseph Folk, Foreman of the Grand Jury.

Certificate.

THE STATE OF OHIO, *Stark County, ss:*

I, Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a full, true and correct copy of the original indictment, together with the endorsements thereon, now on file in my office.

Witness my hand and the seal of said court at Canton, Ohio, this 12th day of June, 1906.

JACOB J. WISE, *Clerk,* [SEAL.]

Indictment for Making False Entry in Report.

Revised Statutes, Secs. 7193-4, 7206-7-10-15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, Ohio, of the Term of May in the Year of Our Lord One Thousand Nine Hundred and Six.

The Jurors of the Grand Jury of the County of Stark and State of Ohio, then and there duly impaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their said oaths, in the name and by the authority of the State of Ohio, do find present: That Corwin D. Bachtel late of said County on or about the 15th day of October in the year of our Lord one thousand nine hundred and four, at the County of Stark aforesaid, being then and there the cashier of The Canton State Bank, a banking Company organized and incorporated under the law of the State of Ohio, known as and being the free banking act of 1851, and found in the Revised Statutes of
11 Ohio, and which banking Company was located and engaged in the business of banking in the City of Canton, in said County of Stark, and State of Ohio, unlawfully and knowingly did make a false entry in a report of the said banking Company showing its condition at the close of business on October 12, 1904, to W. D. Guilbert, Auditor of the State of Ohio, in compliance with the requisition made October 12, 1904, by the said W. D. Guilbert, Auditor of the State of Ohio, to the cashier of The Canton State Bank, Canton, Ohio, in accordance with the law of the State of Ohio, with intent then and there to injure and defraud the said, The Canton State Bank, its directors and depositors and to deceive W. D. Guilbert the Auditor of the State of Ohio, and to deceive Austin C. Brant the President of said banking Company and to deceive William Wagner and William R. Zollinger part of the directors of the said

banking Company, which said report is in the words and figures following, to-wit:—

Dr. Resources.	Dollars. Cts.	Liabilities.	Cr. Dollars. Cts.
1. Loans on real estate....	660618.84	1. Capital stock paid in.....	180000.00
3. Overdrafts.....	1921.32	2. Surplus fund.....	19000.00
7. Due from other banks and bankers.....	53318.29	3. Undivided profits.....	7999.27
9. Furniture and fixtures..	2000.00	6. Individual deposits	525051.02
10. Current expenses.....	122.62	8. Notes and bills rediscounted	15000.00
12. Cash items.....	11955.87		
13. Gold coin	4750.		
Silver coin.....	981.35		
14. National bank notes &			
15. United States notes.....	11382.00		
Total.....	747050.29	Total.....	747050.29

which said false entry so made as aforesaid, by the — Corwin D. Bachtel cashier of the said The Canton State Bank was as follows: "individual deposits 525051.02;" thereby making said report to show that at the close of business of said bank on Oct. 12, 1904, there were individual deposits in said bank amounting to Five hundred and twenty-five thousand and fifty-one and 02/100 ($525051.02) dollars, whereas in truth and in fact and at the time well known to the said Corwin D. Bachtel cashier as aforesaid, that the individual deposits in said bank at the close of business Oct. 12, 1904, was only Three hundred and forty-five thousand and sixty-eight and 96/100 ($345068.96) dollars, and should have been reported in not more than said sum of three hundred and forty-five thousand and sixty-eight and 96/100 ($345068.96) dollars, contrary to the
12 statute in such case made and provided and against the peace and dignity of the State of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

Endorsed as follows: Indictment for Making False Entry in Report Oct. 15, 1904. A True Bill. Joseph Folk, Foreman of the Grand Jury.

(Certificate.)

THE STATE OF OHIO, *Stark County, ss:*

I, Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a full, true and correct copy of the original indictment, together with the endorsements thereon, now on file in my office.

Witness my hand and the seal of said Court at Canton, Ohio, this 12th day of June, 1906.

JACOB J. WISE, *Clerk.* [SEAL.]

Indictment for Making False Entry in Report.

Revised Statutes, Secs. 7193-4, 7206-7-10-15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, Ohio, of the Term of May in the year of Our Lord One Thousand Nine Hundred and Six.

The Jurors of the Grand Jury of the County of Stark and State of Ohio, then and there duly impaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their said oaths, in the name and by the authority of the State of Ohio, do find present: That Corwin D. Bachtel late of said County, on or about the 2nd day of April in the year of our Lord one thousand nine hundred and four, at the County of Stark aforesaid, being then and there the cashier of The Canton State Bank, a banking Company organized and incorporated under the law of the State of Ohio, known as and being the free banking act of 1851, and found in the Revised Statutes of the State of Ohio, and which banking Company was located and engaged in the business of banking in the City of Canton in said County of Stark, and State of Ohio, and being in said county of Stark and State of Ohio, unlawfully and knowingly did make a false entry in a report of said banking Company showing its condition before the commencement of business on the first Monday of April, 1904, to W. D. Giul-
13 bert, Auditor of the State of Ohio, in compliance with the requisiton made March 10, 1904, by the said W. D. Guilbert Auditor of The State of Ohio to the cashier of The Canton State Bank, Canton, Ohio, in accordance with the laws of The State of Ohio with intent then and there to injure and defraud the said The Canton State Bank its directors and depositors, and to deceive W. D. Guilbert the Auditor of the State of Ohio, and to deceive Austin C. Brant the President of said banking Company, and to deceive William Wagner and William R. Zollinger part of the directors of said banking Company, which said report is in the words and figures following, to wit:—

Dr.

Resources.	Dollars. Cts.
1. Loans on real estate	
2. All other loans and discounts	650456.33
3. Overdrafts	771.06
4. United States bonds on hand	
5. State bonds on hand	
6. Other stocks, bonds and mortgages	
7. Due from other banks and bankers	165321.66
8. Real estate	
9. Furniture and fixtures	2500.00
10. Current expenses	21.92
11. Premiums on bonds	
12. Cash items	15577.74
13. Gold coin $757.50 Silver coin 1376.97	2134.47
14. National bank notes &	
15. United States notes	33231.00
Total	870014.18

Cr.

Liabilities.	Dollars. Cts.
1. Capital Stock paid in	180000.00
2. Surplus fund	17000.00
3. Undivided profits	12016.85
4. State bank notes outstanding	
5. Dividends unpaid	53.10
6. Individual deposits	610944.23
7. Due to banks and bankers	
8. Notes and bills rediscounted	50000.00
9. Bills payable	
Total	870014.18

STATE OF OHIO, *County of Stark:*

Sworn to and subscribed before me this second day of April, 1904.

JNO. T. BLAKE,
Notary Public. [SEAL.]

I, Corwin D. Bachtel, Cashier, of "The Canton State Bank," do solemnly swear that the above statement is true, to the best of my knowledge and belief.

CORWIN D. BACHTEL,
Cashier.

This Bank was incorporated May 17", 1900, under the act of 1851, and commenced business May 21", 1900.

CORWIN D. BACHTEL, *Cashier.*

which false entry so made as aforesaid, by the said Corwin D. Bachtel cashier of the said The Canton State Bank, is as follows:—"overdrafts 771.06" thereby making said report to show that before the commencement of business on the first Monday of April, 1904, there were only overdrafts in said bank to the amount of Seven
14 hundred and seventy-one and 06/100 ($771.06) dollars, whereas in truth and in fact, and at the time well known to the said, Corwin D. Bachtel cashier as aforesaid, on the first Monday of April, 1904, were more than Fifty thousand ($5000.00) dollars, which was largely in excess of said sum of seven hundred and seventy one and 06/100 ($771.06) dollars, so reported, all of which was at the time he made said false entry in said report well known to the said Corwin D. Bachtel cashier as aforesaid, contrary to the statute in such case made and provided and against the peace and dignity of the State of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

Endorsed as follows: Indictment for Making False Entry in Report April 2, 1904. A True Bill. Joseph Folk, Foreman of the Grand Jury.

Certificate.

THE STATE OF OHIO, *Stark County, ss:*

I, Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a full, true and correct copy of the original indictment, together with the endorsements thereon, now on file in my office.

Witness my hand and the seal of said court, at Canton, Ohio, this 12th day of June, 1906.

JACOB J. WISE, *Clerk.* [SEAL.]

Indictment for Misapplication and Count for Embezzlement.

Revised Statutes, Secs. 7193–4, 7206–7–10–15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, Ohio, of the Term of May in the year of our Lord one thousand nine hundred and SIX.

The Jurors of the Grand Jury of the County of Stark and State of Ohio, then and there duly impaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their said oaths, in the name and by the authority of the State of Ohio, do find, present:—That Corwin D. Bachtel late of said County on or about the 3rd day of March in the year of our Lord one thousand nine hundred and five, at the County of Stark aforesaid, said Corwin D. Bachtel then and
15 there being the cashier of and a director of a certain banking company known as The Canton State Bank, a corporation, duly incorporated and organized under the law of The State of Ohio, known as and being the free banking act of 1851, and found in the Revised Statutes of Ohio, and which banking company on or about March 3, 1905, and at the time of the willful misapplication of the moneys, funds and credits of said bank as hereinafter mentioned, was doing a banking business in the City of Canton, Stark County, Ohio, as a free banking company, and, he, the said Corwin D. Bachtel being such cashier of said banking company on or about said day, and in said city of Canton, Stark County, Ohio, did then and there willfully, unlawfully and fraudulently misapply certain moneys and funds of said banking company to the amount of three hundred and forty-two 55/100 ($342.55) dollars, by executing and delivering, on March 3rd, 1905, to said, The Canton State Bank, a certain check or draft, for the sum of Three Hundred and Forty-two and 55/100 Dollars ($342.55) in The Ohio Salt Company,

Wadsworth, Ohio, signed, The Swaim & Reed Stave & Lumber Co., by C. D. Bachtel, secretary and treasurer, he, the said C. D. Bachtel, being then and there the secretary and treasurer of said The Swaim & Reed Stave & Lumber Company, and being the said Corwin D. Bachtel cashier of said Banking Company, a copy of which check or draft is as follows:—

No. —. CANTON, OHIO, *March* 3, 1905.

At sight Pay to the order of the Canton State Bank, Three Hundred Forty-two and 55/100 dollars,
To The Ohio Salt Co., Wadsworth, O.

THE SWAIM & REED STAVE & LUMBER CO.,
B- C. D. BACHTEL, *Sec'y & Treas.*

No Protest.
Detach Before Presenting.
Report by Number.

and said check or draft was then and there accepted and received by said Corwin D. Bachtel on behalf of said The Canton State Bank, while acting in his said capacity, as said cashier, without consideration, and with the intent on the part of said Corwin D.
16 Bachtel, then and there, to hold said check or draft and not forward the same to the said The Ohio Salt Company, Wadsworth, Ohio, and which check or draft was held and not sent for payment for collection by said Corwin D. Bachtel to said, The Ohio Salt Company, Wadsworth, Ohio, and said The Ohio Salt Company, Wadsworth, Ohio, at said time was not indebted to said The Swaim & Reed Stave & Lumber Company, neither did the Swaim & Rees Stave & Lumber Company have at said time, any credit at said, The Ohio Salt Company, nor was anything of value ever received by said, The Canton State Bank, by reason of said check or draft, all of which was known at the time of the executing, delivering and acceptance of said check or draft as aforesaid, by said Corwin D. Bachtel and said Corwin D. Bachtel did on March 3, 1905, and at the time of said acceptance of said check or draft as aforesaid, credit The Swaim & Reed Stave & Lumber Company with the sum of Three Hundred Forty-two and 55/100 Dollars ($342.55) by reason of the execution, delivery and acceptance of said check or draft as aforesaid, on the books of said, The Canton State Bank, and said sum of Three Hundred Forty two and 55/100 ($342.55) dollars, credited as aforesaid, was afterwards paid out of said, The Canton State Bank by said Corwin D. Bachtel as cashier aforesaid, and received and used by said The Swaim & Reed Stave & Lumber Company, and all of said acts and things were then and there done by said Corwin D. Bachtel, with the intent then and there to injure and defraud said The Canton State Bank.

Second Count.

And the Jurors of the Grand Jury aforesaid, inquiring as aforesaid, on their said oaths aforesaid, and in the name and by the authority of the State of Ohio, aforesaid, do further find and present that Corwin D. Bachtel then and there being the cashier and a director of a certain banking company known as The Canton State Bank, a corporation, duly incorporated and organized under the law of the State of Ohio, known as and being the free banking act of 1851, and found in the Revised Statutes of Ohio, and which banking company on or about March 3, 1905, and at the time of the embezzlement of the money of the said bank as hereinafter mentioned was doing a banking business in the city of Canton, Stark County, Ohio, as a free banking company, and the said Corwin D.
17 Bachtel at said time and place and being in said County of Stark and State of Ohio, on the 3rd day of March, 1905, unlawfully, feloniously and knowingly embezzled and converted to his own use, the moneys and funds of the said The Canton State Bank, to-wit:—the sum of three hundred and forty-two and 55/100 ($342.55) dollars, and which said sum is the same sum, amount and money referred to in the first count of this indictment, and which money was then and there under his control, care and custody as cashier of the said The Canton State Bank as aforesaid, by virtue of his said office and with the intent then and there on the part of him the said Corwin D. Bachtel cashier as aforesaid, to convert the same to his own use, and to then and there and thereby injure and defraud the said The Canton State Bank, contrary to the statute in such case made and provided and against the peace and dignity of the State of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

Endorsed as follows: Indictment for Misapplication and Count for Embezzlement. A True Bill Joseph Folk, Foreman of the Grand Jury.

Certificate.

THE STATE OF OHIO, *Stark County, ss:*

I Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a full, true and correct copy of the original indictment, together with the endorsements thereon, now on file in my office.

Witness my hand — the seal of said court at Canton, Ohio, this 12th day of June, 1906.

JACOB J. WISE, *Clerk.* [SEAL.]

18 Indictment for making false entries in book of bank, to-wit:—

Discount Register.

Revised Statutes, Secs. 7193-4, 7206-7-10-15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, Ohio, of the Term of May, in the Year of our Lord One Thousand Nine Hundred and Six.

The Jurors of the Grand Jury of the County of Stark and State of Ohio, then and there duly empaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their said oaths, in the name and by the authority of the State of Ohio, do find, present: That Corwin D. Bachtel and Charles H. Van Horn, late of said County, on or about the 9th day of March in the year of our Lord one thousand nine hundred and five, at the County of Stark aforesaid, he, the said Corwin D. Bachtel being then and there the cashier and a director of a certain banking company known as The Canton State Bank, a corporatoin, duly incorporated and organized under the law of the State of Ohio, and known as and being the free banking act of 1851, and found in the Revised Statutes of Ohio, and he, the said Charles H. Van Horn being then and there the teller and a clerk of the said banking company and which banking company on or about March 9th, 1905, at the time of the grievances hereinafter complained of was doing a banking business in the city of Canton, Stark County, Ohio, as a free banking company, and they the said Corwin D. Bachtel and Charles H. Van Horn by virtue of their said office and employment as such cashier, teller and clerk respectively, were entrusted by and on behalf of said banking company with a certain book, to wit: "Discount Register" (which discount register was also labeled on its back The Canton State Bank, and the first entry in said register was made August 14, 1904) pertaining to the transaction of the business of said banking company, and which said
19 book was then and there in charge and under the control of them the said Corwin D. Bachtel and Charles H. Van Horn, for use in the discharge of their duties as cashier, teller and clerk aforesaid, in the making of correct entries and keeping a correct record of the transaction of the said bank, and which the said Corwin D. Bachtel and Charles H. Van Horn then and there having possession of said book as aforesaid, for the purpose aforesaid, and by virtue of their employment aforesaid, in said county of Stark and State of Ohio, knowingly and unlawfully did write and make without authority of the directors of the said banking company, The

Canton State Bank, a false entry therein, under date of March 3, 1905, which was as follows:

" 3, 56½ W. L. Davis 4 " " 3
July 3, 3500.

thereby making said entry show that on said March 3, 1905, that said bank had discounted a note amounting to Three thousand five hundred ($3500.00) dollars for W. L. Davis, which entry was falsely made at the time by the said Corwin D. Bachtel and Charles H. Van Horn cashier, teller and clerk as aforesaid, at the time knowing that said bank on said day, had not discounted said note for the said W. L. Davis, and that said entry was false at the time they made the same, said entry was so falsely made without the authority from the directors of the said banking Company The Canton State Bank as aforesaid, and with the intent to then and there injure and defraud said banking company, The Canton State Bank, and with the further intent to then and there deceive Austin C. Brant the president of the said banking company and William Wagner and William R. Zollinger directors of the said, The Canton State Bank contrary to the statute in such case made and provided and against the peace and dignity of the State of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

Endorsed as follows: Indictment for Making False Entries in Book of Bank, to wit:—Discount Register. A True Bill.
20 Joseph Folk, Foreman of the Grand Jury.

(*Certificate.*)

THE STATE OF OHIO, *Stark County, ss:*

I, Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a full, true and correct copy of the original indictment, together with the endorsements thereon, now on file in my office.

Witness my hand and the seal of said Court at Canton, Ohio, this 12" day of June, 1906.

JACOB J. WISE, *Clerk.* [SEAL.]

21 *Indictment for Making False Entries on Books of Bank.*

Revised Statutes, Secs. 7193-4, 7206-7-10-15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, Ohio, of the Term of May in the Year of our Lord One Thousand Nine Hundred and Six.

The Jurors of the Grand Jury of the County of Stark and State of Ohio, then and there duly impaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their said oaths, in the name and by the authority of the State of Ohio, do find, present: That Corwin D. Bachtel and C. H. Van Horn, known as Howard Van Horn late of said County, on or about the 4th day of January in the year of our Lord one thousand nine hundred and five, at the County of Stark aforesaid said Corwin D. Bachtel then and there being the cashier of and said Charles Howard Van Horn then and there being the teller and bookkeeper of a certain Banking Company known as The Canton State Bank; a corporation duly incorporated and organized under the law of the State of Ohio, known as and being the free banking act of 1851, and found in the Revised Statutes of Ohio, and the making of the entry hereinafter mentioned was doing a banking business at the City of Canton, Stark County, Ohio, as a free banking Company, with intent then and there to injure and defraud said banking Company and Austin C. Brant, William Wagner, William R. Zollinger and W. H. Hoover directors of the same, and with intent to deceive the president and members of the board of directors of said Banking Company, did then and there, without authority from the directors of said banking company, willfully, unlawfully, knowingly and intentionally make the following false entry on Page 294 in a book of said banking company known and designated as "Journal No. 2" under date of January 4, 1905, to wit: "Bank of Pittsburg N. A. 445.67 595 3000-4040.67," thereby charging said Bank of Pittsburg N. A. with the sum of Four Thousand Forty
22 Dollars and Sixty-seven cents ($4040.67) and thereby making said book to show that said Bank of Pittsburg N. A. had received a deposit to the credit of said The Canton State Bank of Canton, Ohio, in the sum of Four Thousand Forty Dollars and Sixty-seven Cents ($4040.67) on said January 4, 1905, whereas in truth and in fact said entry should have been made as follows: "Bank of Pittsburg N. A. 445.67 595-1040.67, and whereas in truth and in fact said Bank of Pittsburg N. A. should only have been charged with having received the sum of One Thousand Forty Dollars and Sixty-seven Cents ($1040.67) on said January 4, 1905, and whereas in truth and in fact said Bank of Pittsburg N. A. only

received on deposit to the credit of said The Canton State Bank of Canton, Ohio, the sum of One Thousand Forty Dollars and Sixty-seven Cents ($1040.67) on said January 4th, 1905, all of which was fully known by said Corwin D. Bachtel and Charles Howard Van Horn at the time of making said entry contrary to the statute in such case made and provided and against the peace and dignity of the State of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

Endorsed as follows: Indictment for Making False Entries January 4th, 1905. A True Bill. Joseph Folk, Foreman of the Grand Jury.

(*Certificate.*)

THE STATE OF OHIO, *Stark County, ss:*

I, Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a full, true and correct copy of the original indictment, together with the endorsements thereon, now on file in my office.

Witness my hand and the seal of said Court at Canton, Ohio, this 13" day of June, 1906.

JACOB J. WISE, *Clerk.* [SEAL.]

23 Indictment for making false entries on book of bank, to-wit:

Discount Register.

Revised Statutes, Secs. 7193-4, 7206-7-10-15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, of the Term of May, in the Year of our Lord One Thousand Nine Hundred and Six.

The Jurors of the Grand Jury of the County of Stark and State of Ohio, then and there duly impaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their said oaths, in the name and by the authority of the State of Ohio, do find, present: That Corwin D. Bachtel and Charles H. Van Horn, late of said County, on or about the 9th day of March in the year of our Lord one thousand nine hundred and five, at the County of Stark aforesaid, he, the said Corwin D. Bachtel being then and there cashier and a director of a certain banking company known as The Canton State Bank, a corporation, duly incorporated and organized under the law of the State of Ohio, and known as and being the free banking act of 1851, and found in the

Revised Statutes of Ohio, and he, the said Charles H. Van Horn being then and there the teller and a clerk of the said banking company and which banking company on or about March 9th, 1905, at the time of the grievances hereinafter complained of was doing a banking business in the city of Canton, Stark County, Ohio, as a free banking company, and they the said Corwin D. Bachtel and Charles H. Van Horn by virtue of their said office and employment as such cashier, teller and clerk respectively, were entrusted by and on behalf of said banking company with a certain book, to wit: "Discount Register" (which discount register was also labeled on its back The Canton State Bank, and the first entry in said register was made August 14, 1904), pertaining to the transaction of
24 the business of said banking company, and which said book was then and there in charge and under the control of them the said Corwin D. Bachtel and Charles H. Van Horn, for use in the discharge of their duties as cashier, teller and clerk aforesaid, in the making of correct entries and keeping a correct record of the transaction of the said bank, and which the said Corwin D. Bachtel and Charles H. Van Horn then and there having possession of said book as aforesaid, for the purpose aforesaid, and by virtue of their employment aforesaid, in said county of Stark and State of Ohio, did knowingly and unlawfully write and make without authority of the directors of the said banking company, The Canton State Bank, a false entry therein, under date of
March 3, 1905, which was as follows:

"	3	59¼ Citz. Heat L. & P. Co.	4 Mos	"	3.
July	3	6000.			

thereby making said entry show that on said March 3, 1905, that said bank had discounted a note amounting to six thousand ($6000.00) dollars for The Citizens Heat, L. & P. Co., which entry was falsely made at the time by the said Corwin D. Bachtel and Charles H. Van Horn cashier, teller and clerk as aforesaid, at the time knowing that said bank on said day, had not discounted said note, and that said entry was false at the time they made the same, and said entry was so falsely made without the authority from the directors of the said banking Company The Canton State Bank as aforesaid, and with the intent to then and there injure and defraud said banking company, The Canton State Bank, and with the further intent to then and there deceive Austin C. Brant the president of the said banking Company and William Wagner and William R. Zollinger directors of the said, The Canton State Bank contrary to the statute in such case made and provided and against the peace and dignity of the State of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

Endorsed as follows: Indictment for Making False Entries in Book of Bank, to wit: Discount Register. A True Bill. Joseph Folk, Foreman of the Grand Jury.

(*Certificate.*)

25 THE STATE OF OHIO, *Stark County, ss:*

I, Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a full, true and correct copy of the original indictment, together with the endorsements thereon, now on file in my office.

Witness my hand and the seal of said Court at Canton, Ohio, this 13" day of June, 1906.

JACOB J. WISE, *Clerk.* [SEAL.]

26 Indictment for making false entries in book of bank, to wit:

Discount Register.

Revised Statutes, Secs. 7193-4, 72067-10-15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, Ohio, of the Term of May, in the Year of our Lord One Thousand Nine Hundred and Six.

The Jurors of the Grand Jury of the County of Stark and State of Ohio, then and there duly impaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their said oaths, in the name and by the authority of the State of Ohio, do find, present: That Corwin D. Bachtel and Charles H. Van Horn late of said County, on or about the 9th day of March in the year of our Lord one thousand nine hundred and five, at the County of Stark aforesaid, he, the said Corwin D. Bachtel being then and there the cashier and a director of a certain banking company known as The Canton State Bank, a corporation, duly incorporated and organized under the law of the State of Ohio, and known as and being the free banking act of 1851, and found in the Revised Statutes of Ohio, and he, the said Charles H. Van Horn being then and there the teller and a clerk of the said banking company and which banking company on or about March 9th, 1905, at the time of the grievances hereinafter complained of was doing a banking business in the city of Canton, Stark County, Ohio, as a free banking company, and they the said Corwin D. Bachtel and Charles H. Van Horn by virtue of their said office and employment as such cashier, teller and clerk respectively, were entrusted by and on behalf of said banking company with a certain book, to wit: "Discount Register" (which discount register was also labeled on its back The Canton State Bank, and the first entry in said register was made August 14, 1904) pertaining to the transaction of the business of said banking

company, and which said book was then and there in charge and under the control of them the said Corwin D. Bachtel and Charles H. Van Horn, for use in the discharge of their duties as cashier,
27 teller and clerk aforesaid, in the making of correct entries and keeping a correct record of the transaction of the said bank, and which the said Corwin D. Bachtel and Charles H. Van Horn then and there having possession of said book as aforesaid, for the purpose aforesaid, and by virtue of their employment aforesaid, in said county of Stark and State of Ohio, did knowingly and unlawfully write and make without authority of the directors of the said banking company, The Canton State Bank, a false entry therein, under date of March 3, 1905, which was as follows:

Mch. 3 5½ Davis Ry. Coal Co. 4 mos. " 3
July 3 5000.

thereby making said entry show that on said March 3, 1905, that said bank had discounted a note amounting to Five thousand ($5000.00) dollars, for The Davis Ry. Coal Co., which entry was falsely made at the time by the said The Canton State Bank, and Charles H. Van Horn cashier, teller and clerk as aforesaid, at the time knowing that said bank on said day, had not discounted said note for the said The Davis Ry. Coal Co. and at the time they made the same, said entry was so falsely made without the authority from the directors of the said banking Company, The Canton State Bank as aforesaid, and with the intent to then and there deceive Austin C. Brant the president of the said banking Company and William Wagner and William R. Zollinger directors of the said, The Canton State Bank contrary to the statute in such case made and provided and against the peace and dignity of the State of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

Endorsed as follows: Indictment for Making False Entries in Book of Bank, to wit: Discount Register. A True Bill. Joseph Folk, Foreman of the Grand Jury.

(Certificate.)

THE STATE OF OHIO, *Stark County, ss:*

I, Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a full, true and correct copy of the original indictment, together with the endorsements thereon, now on file in my office.

Witness my hand and the seal of said Court at Canton, Ohio, this 13" day of June, 1906.

JACOB J. WISE, *Clerk.* [SEAL.]

28 Indictment for making false entries in book of bank, to wit:—

Discount Register.

Revised Statutes, Secs. 7193-4, 7206-7-10-15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, Ohio, of the Term of May, in the Year of our Lord One Thousand Nine Hundred and Six.

The Jurors of the Grand Jury of the County of Stark and State of Ohio, then and there duly impaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their said oaths, in the name and by the authority of the State of Ohio, do find, present: That Corwin D. Bachtel and Charles H. Van Horn late of said County, on or about the 9th day of March in the year of our Lord one thousand nine hundred and five, at the County of Stark aforesaid, he, the said Corwin D. Bachtel being then and there the cashier and a director of a certain banking company known as The Canton State Bank, a corporation, duly incorporated and organized under the law of the State of Ohio, and known as and being the free banking act of 1851, and found in the Revised Statutes of Ohio, and he, the said Charles H. Van Horn being then and there the teller and a clerk of the said banking company and which banking company or or about March 9th, 1905, at the time of the grievances hereinafter complained of was doing a banking business in the city of Canton, Stark County, Ohio, as a free banking company, and they the said Corwin D. Bachtel and Charles H. Van Horn by virtue of their said office and employment as such cashier, teller and clerk respectively, were entrusted by and on behalf of said banking company with a certain book, to wit: "Discount Register" (which discount register was also labeled on its back The Canton State Bank, and the first entry in said register was made August 14, 1904) pertaining to the transaction of the business of said banking company, and which said book was then and there in charge and under the control of them the said Corwin D.
29 Bachtel and Charles H. Van Horn, for use in the discharge of their duties as cashier, teller and clerk aforesaid, in the making of correct entries and keeping a correct record of the transaction of the said bank, and which the said Corwin D. Bachtel and Charles H. Van Horn then and there having possession of said book as aforesaid, for the purpose aforesaid, and by virtue of their employment aforesaid, in said county of Stark and State of Ohio, did knowingly and unlawfully write and make without the authority of

the directors of the said banking company, The Canton State Bank, a false entry therein under date of
March 3, 1905, which was as follows:

" 3, 54½ Davis Ry. Coal Co. 3 " 3
June 3, 5000.

thereby making said entry show that on said March 3, 1905, that said bank had discounted a note amounting to Five thousand ($5000.00) dollars, for The Davis Ry. Coal Co., which entry was falsely made at the time by the said Corwin D. Bachtel and Charles H. Van Horn cashier, teller and clerk as aforesaid, at the time knowing that said bank on said day, had not discounted said note for the said, The Davis Ry. Coal Co., and that said entry was false at the time they made the same, and said entry was so falsely made without the authority from the directors of the said banking Company The Canton State Bank as aforesaid, and with the intent to then and there injure and defraud said banking company, The Canton State Bank, and with the further intent to then and there deceive Austin C. Brant the president of the said banking Company and William Wagner and William R. Zollinger directors of the said, The Canton State Bank, contrary to the statute in such case made and provided and against the peace and dignity of the State of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

Endorsed as follows: Indictment for Making False Entries in Book of Bank, to wit: Discount Register. A True Bill. Joseph Folk, Foreman of the Grand Jury.

(Certificate.)

THE STATE OF OHIO, *Stark County, ss:*

30 I, Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a full, true and correct copy of the original indictment, together with the endorsements thereon, now on file in my office.

Witness my hand and the seal of said Court at Canton, Ohio, this 13" day of June, 1906.

By JACOB J. WISE, *Clerk.* [SEAL.]

31 Indictment for making false entries in book of bank, to wit:—

Discount Register.

Revised Statutes, Secs. 7193-4, 7206-7-10-15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, Ohio, of the Term of May, in the Year of our Lord One Thousand Nine Hundred and Six.

The Jurors of the Grand Jury of the County of Stark and State of Ohio, then and there duly impaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their said oaths, in the name and by the authority of the State of Ohio, do find, present: That Corwin D. Bachtel and Charles H. Van Horn late of said County on or about the 9th day of March in the year of our Lord one thousand nine hundred and five, at the County of Stark aforesaid, he, the said Corwin D. Bachtel being then and there the cashier and a director of a certain banking company known as The Canton State Bank, a corporation, duly incorporated and organized under the law of the State of Ohio, and known as and being the free banking act of 1851, and found in the Revised Statutes of Ohio, and he, the said Charles H. Van Horn being then and there the teller and a clerk of the said banking company and which banking company on or about March 9th, 1905, at the time of the grievances hereinafter complained of was doing a banking business in the city of Canton, Stark County, Ohio, as a free banking company, and they the said Corwin D. Bachtel and Charles H. Van Horn by virtue of their said office and employment as such cashier, teller and clerk respectively, were entrusted by and on behalf of said banking company with a certain book, to wit: "Discount Register" (which discount register was also labeled on its back, the Canton State Bank, and the first entry in said register was made August 14, 1904) pertaining to the transaction of the business of said banking company, and which said book was then and there in charge and under
32 the control of them the said Corwin D. Bachtel and Charles H. Van Horn, for use in the discharge of their duties as cashier, teller and clerk aforesaid, in the making of correct entries and keeping a correct record of the transaction of the said bank, and which the said Corwin D. Bachtel and Charles H. Van Horn then and there having possession of said book as aforesaid, for the purpose aforesaid, and by virtue of their employment aforesaid, in said county of Stark and State of Ohio, did knowingly and unlawfully write and make without authority of the directors of the said banking company, The Canton State Bank, a false entry therein, under date of
March 3, 1905, which was as follows:

"	3,	58½	Clev'd Brick Co.	90 dys. "	3 "
"	1,	5000.			

thereby making said entry show that on said March 3, 1905, that said bank had discounted a note amounting to Five thousand ($5000.00) dollars for The Clev'd Brick Co., which entry was falsely made at the time by the said Corwin D. Bachtel and Charles H. Van Horn cashier, teller and clerk as aforesaid, at the time knowing that said bank on said day, had not discounted said note, and that said entry was false at the time they made the same, and said entry was so falsely made contrary to the statute in such case made and provided and against the peace and dignity of the State of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

Endorsed as follows: Indictment for Making False Entries in Book of Bank, to wit: Discount Register. A True Bill. Joseph Folk, Foreman of the Grand Jury.

(Certificate.)

THE STATE OF OHIO, *Stark County, ss:*

I, Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a full, true and correct copy of the original indictment, together with the endorsements thereon, now on file in my office.

Witness my hand and the seal of said Court at Canton, Ohio, this 13" day of June, 1906.

JACOB J. WISE, *Clerk.* [SEAL.]

33 Indictment for false entry in book of bank, to wit:—

Journal No. 2.

Revised Statutes, Secs. 7193–4, 7206–7–10–15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, Ohio, of the Term of May in the Year of our Lord One Thousand Nine Hundred and Six.

The Jurors of the Grand Jury of the County of Stark and State of Ohio, then and there duly impaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their said oaths, in the name and by the authority of the State of Ohio, do find present: That Corwin D. Bachtel and Charles H. Van Horn late of said County, on or about the 9th day of March in the year of our Lord one thousand nine hundred and five, at the County of Stark aforesaid, he, the said

Corwin D. Bachtel being then and there the cashier and a director of a certain banking company known as The Canton State Bank, a corporation, duly incorporated and organized under the law of the State of Ohio, and known as and being the free banking act of 1851, and found in Revised Statutes of Ohio, and, he, the said Charles H. Van Horn being then and there the teller and a clerk of the said banking company and which banking Company on or about March 9, 1905, and at the time of grievances hereinafter complained of, was doing a banking business in the city of Canton, Stark County, Ohio, as a free banking company, and they the said Corwin D. Bachtel and Charles H. Van Horn by virtue of their said offices and employment as such cashier, teller and clerk respectively, were entrusted by and on behalf of said banking Company with a certain book, to wit: "Journal No. 2," pertaining to the transaction of the business of said banking company, which said book was then and there in charge and under the control of them the said Corwin D. Bachtel and Charles H. Van Horn, for use in the discharge of their duties as such cashier, teller and clerk aforesaid, in the mak-
34 ing of correct entries and keeping a correct record of the transaction of the said bank, and the said Corwin D. Bachtel and Charles H. Van Horn then and there having possession of said book as aforesaid, for the purpose aforesaid, and by virtue of their employment aforesaid, in said county of Stark and State of Ohio, did write and make without the authority from the directors of the said banking company, The Canton State Bank, a false entry therein, on Page 334 under the head of Friday, and at the end of line on which have written, loans and discounts Sunds, the figure 6 in front of the figures 1592.25, thereby making it appear that the loans and discounts sundries were 61592.25 instead of 1592.25 as it was originally in said book which said entry was false and known to be false to the said Corwin D. Bachtel and Charles H. Van Horn, cashier, teller and clerk as aforesaid, at the time they made the same and it was made without the authority from the directors of the said banking company, The Canton State Bank as aforesaid, and with the intent to then and there injure and defraud said banking company, The Canton State Bank, and with the further intent to then and there deceive Austin C. Brant the president of the Banking Co. and William Wagner, and William R. Zollinger directors of the said The Canton State Bank contrary to the statute in such case made and provided and against the peace and dignity of the State of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

Endorsed as follows: Indictment for Making False Entry in Book of Bank, to wit: Journal No. 2. A True Bill. Joseph Folk, Foreman of the Grand Jury.

(Certificate.)

THE STATE OF OHIO, *Stark County, ss:*

I, Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a full, true and correct copy of the original indictment, together with the endorsements thereon, now on file in my office.

Witness my hand and the seal of said Court, at Canton, Ohio, this 13" day of June, 1906.

JACOB J. WISE, *Clerk.* [SEAL.]

35 *Indictment for Abstraction, Misapplication and Embezzlement.*

Revised Statutes, Secs. 7193-4, 7206-7-10-15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, Ohio, of the Term of May, in the Year of our Lord One Thousand Nine Hundred and Six.

The Jurors of the Grand Jury of the County of Stark and State of Ohio, then and there duly impaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their said oaths, in the name and by the authority of the State of Ohio, do find present: That William L. Davis and Corwin D. Bachtel, late of said County, on or about the 13th day of December in the year of our Lord, one thousand nine hundred and four, at the County of Stark aforesaid, said William L. Davis being then and there an officer, to wit: Vice President and a director of The Canton State Bank, a corporation, incorporated and organized as a banking Company under the law of the State of Ohio, known as the free banking act passed 1851, by the Legislature of Ohio, and which banking Company, on or about the 13th day of December, 1904, and at the time of the abstraction of the personal property of said banking Company, to wit: the certificates of stock as hereinafter described, was doing a banking business in the City of Canton, Stark County, Ohio, as a free banking Company, and said Corwin D. Bachtel being then and there and at the time an officer, to wit: the cashier and a director of The Canton State Banking Company, certain property, to wit: certain certificates for 350 shares of the capital stock of said banking Company; to wit: Certificate No. 20 for 100 shares, Certificate No. 181 for 100 shares, Certificate No. 223 for 100 shares Certificate No. 244 for 40 shares and Certificate No. 256 for ten shares which said certificates of stock

had theretofore been issued by the said, The Canton State Bank to the said William L. Davis, and which said certificate of stock had theretofore been hypothecated by the said William L. Davis
36 with the said The Canton State Bank, as security for moneys theretofore received by the said William L. Davis from the said, The Canton State Bank, and which said certificates were of the face value of Fifty ($50.00) dollars per share, and upon which had been paid in thereon, the sum of Thirty ($30.00) per share, and which said certificates were then and there of the value of One hundred and five thousand ($105000.00) dollars, of the personal property of and belonging to the said, The Canton State Bank, they the said William L. Davis and Corwin D. Bachtel officers of the said, The Canton State Bank as aforesaid, did, at the time and date aforesaid, and at the County aforesaid, with the intent on their part to injure and defraud the said, The Canton State Bank, unlawfully and fraudulently abstract from the possession of the said, The Canton State Bank, said certificates of stock heretofore described without the authority of any of the other officers and directors of the said, The Canton State Bank, and thereby did defraud and injure the said The Canton State Bank as aforesaid.

Second Count.

And the Jurors of the Grand Jury aforesaid, in and for the County aforesaid, on their oaths aforesaid, and in the name and by the authority of the State of Ohio, aforesaid, do further find and present, that the said William L. Davis, Vice President and a Director of the said, The Canton State Bank as aforesaid, and Corwin D. Bachtel cashier and director of the said, The Canton State Bank as aforesaid, late of said County aforesaid, at the time and date aforesaid, and with the intent aforesaid, did willfully misapply certain property, to wit: certain certificates of stock and being the same certificates of stock as described in the first count of this indictment, to wit: certain certificates for 350 shares of the capital stock of the said The Canton State Bank, to wit: Certificate No. 20 for 100 shares, Certificate No. 181 for 100 shares, Certificate No. 223 for 100 shares, Certificate No. 244 for 40 shares, and Certificate No. 256 for 10 shares, to the use and benefit of the said William L. Davis without the assent of the said incorporated Company, the said, The Canton State Bank, and without the assent of any owner or owners of said certifi-
37 cates, which said personal property had then and there come into the possession and care of the said William L. Davis and Corwin D. Bachtel by virtue of their employment as such officers aforesaid, of said incorporated Company, which said certificates of stock had theretofore been hypothecated by the said William L. Davis to the said The Canton State Bank, as security for money theretofore received by the said William L. Davis from the said The Canton State Bank.

Third Count.

And the Jurors of the Grand Jury aforesaid, in and for the county aforesaid, on their oaths aforesaid, and in the name and by the

authority of the State of Ohio aforesaid, and at the time and place aforesaid, do further find and present, that the said William L. Davis, Vice President and a director of The Canton State Bank as aforesaid, and Corwin D. Bachtel the cashier *of* a director of The Canton State Bank as aforesaid, late of said county aforesaid at the time and date aforesaid, and with the intent aforesaid, did unlawfully and fraudulently embezzle and convert to the use of said William L. Davis aforesaid, certain property, to wit: certain certificates for 350 shares of the capital stock of the said The Canton State Bank, and which are the same certificates of stock as described in the first and second count of this indictment, to-wit: certificate No. 20 for 100 shares, Certificate No. 181 for 100 shares, Certificate No. 223 for 100 shares, Certificate No. 244 for 40 shares, and Certificate No. 256 for 10 shares, without the assent of the said The Canton State Bank, their employer as aforesaid, and without the assent of any owner or owners of said personal property which said personal property had then and there come into the possession and care of the said William L. Davis and Corwin D. Bachtel by virtue of their employment as such officers as aforesaid, of said incorporated Company, contrary to the statute in such case made and provided and against the peace and dignity of the State of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

Endorsed as follows: Indictment for Abstraction, Misapplication and Embezzlement. A True Bill. Joseph Folk, Foreman of the Grand Jury.

Certificate.

THE STATE OF OHIO, *Stark County, ss:*

38 I, Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a full, true and correct copy of the original indictment, together with the endorsements thereon, now on file in my office.

Witness my hand and the seal of said court at Canton, Ohio, this 13th day of June, 1906.

JACOB J. WISE, *Clerk.* [SEAL.]

39 *Indictment for Willful Assignment of Bonds with Counts for Abstraction, Willful Misapplication and Embezzlement.*

Revised Statutes, Secs. 7193-4, 7206-7-10-15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, Ohio, of the Term of May in the Year of our Lord One Thousand Nine Hundred and Six.

The Jurors of the Grand Jury of the County of Stark and State of Ohio, then and there duly impaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their said oaths, in the name and by the authority of the State of Ohio, do find present: That Corwin D. Bachtel late of said County, on or about the 10th day of March in the year of our Lord one thousand nine hundred and five, at the County of Stark aforesaid, said Corwin D. Bachtel then and there being the cashier of and a director of a certain banking Company known as The Canton State Bank, a corporation, duly organized and incorporated under the law of the State of Ohio, known as and being the free banking act of 1851, and found in the Revised Statutes of Ohio, and which banking Company on or about March 10, 1905, and at the time of the assigning of the bonds and doing of the things hereinafter mentioned was doing a banking business at the city of Canton, Stark County, Ohio, as a free banking Company, with the intent then and there to injure and defraud said banking company, and with the intent to injure and defraud Austin C. Brant, William Wagner, William R. Zollinger and William H. Hoover, directors of said banking Company, without authority from the directors of said banking Company, *without authority from the directors of said banking Company* assign to The Merchants National Bank of Massillon, Stark County, Ohio, certain bonds of said banking company of the value of Five thousand ($5000.00) dollars, and which bonds were numbered 15 and 16 respectively, and which bonds had theretofore been issued by The Cleveland Brick Co., a corporation, duly incorporated and organized under the laws
40 of the State of Ohio, and hypothecated by the said, The Cleveland Brick Co., with the said The Canton State Bank as security for moneys theretofore received by the said, The Cleveland Brick Co., from said The Canton State Bank and which bonds had come into his possession and under his control by virtue of his office as cashier of said The Canton State Bank. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, inquiring at the time and place aforesaid, and in the name and by the authority of the State of Ohio aforesaid, do further find and present that William L. Davis, late of the county aforesaid, and at the time a

director of said The Canton State Bank, before and at the time of said assignment of said bonds as aforesaid, by said Corwin D. Bachtel, March 18, 1906, and at the county aforesaid, did feloniously, willfully, maliciously and fraudulently aid, abet, incite and procure the said Corwin D. Bachtel cashier as aforesaid, to assign said bonds in manner and form as aforesaid, well knowing that said Corwin D. Bachtel was the cashier *of* a director of the aforesaid banking Company, and that said banking Company was incorporated and organized under the aforesaid laws of the State of Ohio, and doing a banking business at said time in the city of Canton, Stark County, Ohio, under said free banking act.

Second Count.

And the Jurors of the Grand Jury aforesaid, in and for the county aforesaid, on their oaths aforesaid, and in the name and at the time and place aforesaid, and by the authority of the State of Ohio aforesaid, do further find and present, that said Corwin D. Bachtel cashier and director of said, The Canton State Bank, as aforesaid, late of said county aforesaid, at the time and date aforesaid, and with the intent aforesaid, did willfully misapply certain bonds of said banking Company of the value of Five Thousand ($5000.00) dollars, which bonds were numbered 15 and 16 respectively, and had theretofore been issued by The Cleveland Brick Co., a corporation, duly incorporated and organized under the laws of the State of Ohio, and hypothecated by the said The Cleveland Brick Co., to the said The Canton State Bank, as securities for moneys theretofore
41 received by the said, The Cleveland Brick Co., from said The Canton State Bank. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, inquiring as aforesaid, at the time and place aforesaid, and in the name and by the authority of the State of Ohio, aforesaid, do further find and present, that William L. Davis, late of said county aforesaid, and at the time a director of the said, The Canton State Bank, before and at the time of said willful misapplication of said bonds by said Corwin D. Bachtel as aforesaid, at the County aforesaid, did feloniously, willfully, maliciously and fraudulently aid, abet, incite and procure the said Corwin D. Bachtel cashier as aforesaid, of The Canton State Bank to willfully misapply said bonds in the name and form as aforesaid, well knowing at the time that said Corwin D. Bachtel was the cashier and a director of said banking company, and that said banking Company was incorporated and organized under the free banking act of the laws of Ohio, and doing a banking business at the city of Canton, Stark County, Ohio, at said time.

Third Count.

And the Jurors of the Grand Jury aforesaid, in and for the county aforesaid, on their oaths aforesaid, and in the name and by the authority of the State of Ohio aforesaid, at the time and place aforesaid, do further find and present, that said Corwin D. Bachtel the

cashier of and a director of The Canton State Bank as aforesaid, late of the county aforesaid, at the time and date aforesaid, and at the county aforesaid, with the intent on the part of said Corwin D. Bachtel as aforesaid, did unlawfully and fraudulently abstract from the possession of the said The Canton State Bank certain bonds of said banking Company of the value of Five Thousand ($5000.00) dollars, which bonds were numbered 15 and 16 respectively, and which bonds had theretofore been issued by The Cleveland Brick Co., a corporation, duly incorporated and organized under the laws of the State of Ohio, and had theretofore been hypothecated by the said The Cleveland Brick Co., to the said The Canton State Bank as security for moneys theretofore received by the said The
42 Cleveland Brick Co., from The Canton State Bank. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, inquiring as aforesaid, in the name and by the authority of the State of Ohio aforesaid, at the time and place aforesaid, do further find and present, that William L. Davis, late of said county aforesaid, and at the time a director of said The Canton State Bank as aforesaid, at the County aforesaid, did feloniously, willfully, maliciously and fraudulently aid, abet, incite and procure the said Corwin D. Bachtel cashier as aforesaid, to abstract said bonds in manner and form aforesaid, well knowing at the time that said Corwin D. Bachtel was cashier of said banking Company, and that said banking company was incorporated and organized under the free banking act of the State of Ohio, and was doing a banking business at the City of Canton, Stark County, Ohio.

Fourth Count.

And the Jurors of the Grand Jury aforesaid, in and for the County aforesaid, and in the name and by the authority of the State of Ohio aforesaid, on their oath aforesaid, and at the time and place aforesaid, do further find and present thar said Corwin D. Bachtel cashier of The Canton State Bank aforesaid, late of the county aforesaid, at the time and date aforesaid, and at the County aforesaid, with the intent aforesaid, did unlawfully and fraudulently embezzle and convert to his own use certain bonds of said banking company, which bonds were numbered 15 and 16 respectively, and had theretofore been issued by The Cleveland Brick Co., a corporation, incorporated and organized under the laws of The State of Ohio, and which bonds had theretofore been hypothecated by the said The Cleveland Brick Co., to the said, The Canton State Bank as security for moneys theretofore received by the said The Cleveland Brick Co., from said The Canton State Bank, and which bonds were then in the possession of and under the control of said Corwin D. Bachtel by virtue of his position and employment as cashier of said banking Company. And the Jurors of the Grand Jury aforesaid, on their oaths aforesaid, inquiring as aforesaid, and in the name and by the authority of the State of Ohio aforesaid, at the time and place
43 aforesaid, do further find and present that William L. Davis late of the County aforesaid, and at the time a director of the said The Canton State Bank before and at the time of said em-

bezzlement of said bonds by said Corwin D. Bachtel as aforesaid, at the County aforesaid, did feloniously, willfully, maliciously, fraudulently aid, abet, incite and procure the said Corwin D. Bachtel cashier as aforesaid of The Canton State Bank as aforesaid, to embezzle said bonds in manner and form aforesaid, well knowing at said time that said Corwin D. Bachtel was the cashier of a director of said The Canton State Bank, and that said The Canton State Bank was a corporation, incorporated and organized under the free banking act of the laws of the State of Ohio, and was doing a banking business in the city of Canton, Stark County, Ohio, contrary to the statute in such case made and provided and against the peace and dignity of the State of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

Endorsed as follows: Indictment for willful assignment of bonds with counts for abstraction, willful misapplication and embezzlement. A True Bill. Joseph Folk, Foreman of the Grand Jury.

Certificate.

THE STATE OF OHIO, *Stark County, ss:*

I, Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a full, true and correct copy of the original indictment, together with the endorsements thereon, now on file in my office.

Witness my hand and the seal of said Court, at Canton, Ohio, this 13th day of June, 1906.

JACOB J. WISE, *Clerk.* [SEAL.]

44 *Indictment for Misapplication and Embezzlement.*

Revised Statutes, Secs. 7193-4, 7206-7-10-15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, Ohio, of the Term of May in the Year of our Lord One Thousand Nine Hundred and Six.

The Jurors of the Grand Jury of the County of Stark and State of Ohio then and there duly impaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their said oaths, in the name and by the authority of the State of Ohio, do find present: That Corwin D. Bachtel and William L. Davis, late of said County on or about the 2nd day of May in the year of our Lord one thousand nine hundred

and five, at the County of Stark aforesaid, he the said Corwin D. Bachtel being then and there the cashier and a director of a certain banking company known as The Canton State Bank, a corporation, duly incorporated and organized under the law of the State of Ohio, known as and being the free banking act of 1851, and found in the Revised Statutes of Ohio, and, he, the said William L. Davis, being then and there a vice president and a director of said banking company, and which banking company on or about May 2nd, 1905, and at the time of the misapplication of the money of said bank as hereinafter mentioned was doing a banking business in the city of Canton, Stark County, Ohio, as a free banking company, and the said Corwin D. Bachtel and William L. Davis by virtue of their said offices as cashier and director respectively, of the said The Canton State Bank, at said time and place and being in said county of Stark and State of Ohio, on the 2nd day of May, 1904, unlawfully, feloniously and knowingly did misapply the moneys of the said The Canton State Bank Twenty eight hundred and fifty seven and 15/100 dollars ($2857.15), which were then and there under their control, care and custody as cashier and a director respectively, to the use and benefit of him the said William L. Davis, with intent to
45 injure and defraud the said The Canton State Bank of the same, and which money had then and there been received into and then and there were in the possession of them the said Corwin D. Bachtel and William L. Davis by virtue of their said office and employment as cashier and as director respectively as aforesaid, of the said The Canton State Bank.

Second Count.

And the Jurors of the Grand Jury aforesaid, in and for the county aforesaid, on their oaths aforesaid, and in the name and by the authority of the State of Ohio aforesaid, do further find and present that the said Corwin D. Bachtel and William L. Davis aforesaid, late of the county aforesaid, at the time and date aforesaid, and at the county aforesaid, being then and there cashier and a director aforesaid, of the said The Canton State Bank, as aforesaid, did on or about the 2nd day of May, 1905, unlawfully, feloniously knowingly and willfully embezzle of the moneys of the said The Canton State Bank, the sum of Two thousand eight hundred and fifty seven and 15/100 ($2857.15) dollars, and which sum of Two thousand eight hundred and fifty-seven and 15/100 ($2857.15) dollars, and which sum of two thousand eight hundred and fifty-seven and 15/100 ($2857.15) dollars, is the same sum, amount and money as referred to in the first count of this indictment, and which money was then and there under their control, care and custody as cashier and a director as aforesaid, by virtue of their said offices and with intent then and there on the part of them the said Corwin D. Bachtel as aforesaid, and William L. Davis, director as aforesaid, to convert the same to the use and benefit of him the said William L. Davis, with the intent on the part of them the said Corwin D. Bachtel, cashier as aforesaid, and William L. Davis director as aforesaid, to then and there and thereby injure and defraud the said The Canton

State Bank, and which money had then and there been received into and was in the possession of them the said Corwin D. Bachtel cashier as aforesaid, and William L. Davis director as aforesaid, by virtue of their said office and employment as cashier and director respectively as aforesaid, of said The Canton State Bank, con-
46 trary to the statute in such case made and provided and against the peace and dignity of the State of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

Endorsed as follows: Indictment for misapplication of money—count for embezzlement. A True Bill. Joseph Folk, Foreman of the Grand Jury.

Certificate.

THE STATE OF OHIO, *Stark County, ss:*

I, Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a full, true and correct copy of the original indictment, together with the endorsements thereon, now on file in my office.

Witness my hand and the seal of said Court at Canton, Ohio, this 14th day of June, 1906.

JACOB J. WISE, *Clerk.* [SEAL.]

47 *Indictment for Misapplication of Money and Embezzlement.*

Revised Statutes, Secs. 7193-4, 7206-7-10-15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, Ohio, of the Term of May in the Year of our Lord One Thousand Nine Hundred and Six.

The Jurors of the Grand Jury of the County of Stark and State of Ohio, then and there duly impaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their said oaths, in the name and by the authority of the State of Ohio, do find present: That Corwin D. Bachtel and William L. Davis, late of said County, on or about the 15th day of December in the year of our Lord one thousand nine hundred and four, at the County of Stark aforesaid, he the said Corwin D. Bachtel being then and there the cashier and a director of a certain banking Company known as The Canton State Bank, a corporation, duly incorporated and organized under the law of the State of Ohio, known as and being the free banking act of 1851, and found in the Revised Statutes of Ohio, and, he, the said William L. Davis, being

then and there a vice president and a director of said banking company, and which banking company on or about the 15th day of December, 1904, and at the time of the misapplication of the money of said bank as hereinafter mentioned was doing a banking business in the city of Canton, Stark County, Ohio, as a free banking Company, and the said Corwin D. Bachtel and William L. Davis by virtue of their said offices as cashier and director respectively, of the said The Canton State Bank, at said time and place and being in said county of Stark and State of Ohio, on the 15th day of Dec., 1904, unlawfully, feloniously and knowingly did misapply the moneys of the said The Canton State Bank, to wit, the sum of Twenty four hundred and thirty two dollars ($2432), which were then and there under their control, care, custody as cashier and a director respectively, to the use and benefit of him the said William L. Davis, with intent to injure and defraud the said The Canton State Bank
48 of the same, and which money had then and there been received into, and then and there were in the possession of them the said Corwin D. Bachtel and William L. Davis by virtue of their said office and employment as cashier and as director respectively as aforesaid, of the said The Canton State Bank.

Second Count.

And the Jurors of the Grand Jury aforesaid, in and for the county aforesaid, on their oaths aforesaid, and in the name and by the authority of the State of Ohio aforesaid, do further find and present that the said Corwin D. Bachtel and William L. Davis aforesaid, late of the County aforesaid, at the time and date aforesaid, and at the county aforesaid, being then and there cashier and a director aforesaid, of the said The Canton State Bank as aforesaid, did on or about the 15th day of December, 1904, unlawfully, feloniously, knowingly and willfully embezzle of the moneys of the said The Canton State Bank, the sum of Two thousand four hundred and thirty-two ($2432.00) dollars, is the same sum, amount and money as referred to in the first count of this indictment, and which money was then and there under their control, care, custody as cashier and a director aforesaid, by virtue of their said offices and with intent then and there on the part of them the said Corwin D. Bachtel as aforesaid, and William L. Davis, director as aforesaid, to convert the same to the use and benefit of him the said Corwin D. Bachtel cashier as aforesaid, and William L. Davis director as aforesaid, to then and there and thereby injure and defraud the said The Canton State Bank, and which money had then and there been received into and was in the possession of them the said Corwin D. Bachtel cashier as aforesaid, and William L. Davis, director as aforesaid, by virtue of their said office and employment as cashier and director respectively as aforesaid, of the said The Canton State Bank, contrary to the statute in such case made and provided and against the peace and dignity of the State of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

Endorsed as follows: Indictment for Misapplication of money—count for Embezzlement. A True Bill. Joseph Folk, Foreman of the Grand Jury.

Certificate.

49 THE STATE OF OHIO, *Stark County, ss:*

I, Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a full, true and correct copy of the original indictment, together with the endorsements thereon, now on file in my office.

Witness my hand and the seal of said court, at Canton, Ohio, this 14th day of June, 1906.

JACOB J. WISE, *Clerk.* [SEAL.]

50 *Indictment for Misapplication of Money and Embezzlement.*

Revised Statutes, Secs. 7193-4, 7206-7-10-15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, Ohio, of the Term of May in the Year of our Lord One Thousand Nine Hundred and Six.

The Jurors of the Grand Jury of the County of Stark, and State of Ohio, then and there duly impaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their said oaths, in the name and by the authority of the State of Ohio, do find, present: That Corwin D. Bachtel and William L. Davis, late of said County, on or about the 18th day of July in the year of our Lord one thousand nine hundred and four, at the County of Stark aforesaid, he the said Corwin D. Bachtel being then and there the cashier and a director of a certain banking company known as The Canton State Bank, a corporation, duly incorporated and organized under the law of the State of Ohio, known as and being the free banking act of 1851, and found in the Revised Statutes of Ohio, and, he, the said William L. Davis, being then and there a vice president and a director of said banking company, and which banking company on or about the 18th day of July, 1904, and at the time of the misapplication of the money of said bank as hereinafter mentioned was doing a banking business in the city of Canton, Stark County, Ohio, as a free banking company, and the said Corwin D. Bachtel and William L. Davis by virtue of their said offices as cashier and director respectively, of the said The Canton State Bank, at said time and place and being in said county of Stark and State of Ohio, on the 18th day of July, 1905, unlawfully, feloniously and knowingly did misapply the

moneys of the said The Canton State Bank, to wit, the sum of Two Thousand dollars ($2000) which were then and there under
51 their control, care and custody as cashier and a director respectively, to the use and benefit of him the said William L. Davis, with intent to injure and defraud the said The Canton State Bank of the same, and which money had then and there been received into and then and there were in the possession of them the said Corwin D. Bachtel and William L. Davis by virtue of their said office and employment as cashier and as director respectively as aforesaid, of the said The Canton State Bank.

Second Count.

And the Jurors of the Grand Jury aforesaid, in and for the county aforesaid, on their oaths aforesaid, and in the name and by the authority of the State of Ohio aforesaid, do further find and present that the said Corwin D. Bachtel and William L. Davis aforesaid, late of the County aforesaid, being then and there cashier and a director aforesaid, of the said The Canton State Bank as aforesaid, did on or about the 18th day of July, 1904, unlawfully, feloniously, knowingly and willfully embezzle of the moneys of the said The Canton State Bank, the sum of Two thousand ($2000.00) dollars, and which sum of Two thousand ($2000.00) dollars, is the same sum, amount and money as referred to in the first count of this indictment, and which money was then and there under their control, care and custody as cashier and a director aforesaid, by virtue of their said offices and with intent then and there on the part of them the said Corwin D. Bachtel as aforesaid, and William L. Davis, director as aforesaid, to convert the same to the use and benefit of him the said William L. Davis, with the intent on the part of them the said Corwin D. Bachtel cashier as aforesaid, and William L. Davis, director as aforesaid, to then and there and thereby injure and defraud the said The Canton State Bank, and which money had then and there been received into and was in the possession of them the said Corwin D. Bachtel cashier as aforesaid, and William L. Davis director as aforesaid, by virtue of their said office and employment as cashier and director respectively as aforesaid, of said The Canton State Bank, contrary to the Statute in such case made and provided and against the peace and dignity of the State of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

Endorsed as follows: Indictment for Misapplication of
52 Money—Court for Embezzlement. A True Bill. Joseph Folk, Foreman of the Grand Jury.

Certificate.

THE STATE OF OHIO, *Stark County, ss:*

I, Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a

full, true and correct copy of the original indictment, together with the endorsements thereon, now on file in my office.

Witness my hand — the seal of said Court at Canton, Ohio, this 14th day of June, 1906.

JACOB J. WISE, *Clerk.* [SEAL.]

53 *Indictment for Misapplication of Money and Embezzlement.*

Revised Statutes, Secs. 7193-4, 7206-7-10-15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, Ohio, of the Term of May in the Year of our Lord One Thousand Nine Hundred and Six.

The Jurors of the Grand Jury of the County of Stark and State of Ohio, then and there duly impaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their said oaths, in the name and by the authority of the State of Ohio, do find, present: That Corwin D. Bachtel and William L. Davis, late of said county, on or about the 16th day of December in the year of our Lord one thousand nine hundred and four, at the County of *of* Stark aforesaid, he the said Corwin D. Bachtel being then and there the cashier and a director of a certain banking company known as The Canton State Bank, a corporation, duly incorporated and organized under the law of the State of Ohio, known as and being the free banking act of 1851, and found in the Revised Statutes of Ohio, and, he, the said William L. Davis, being then and there a vice president and a director of said banking company and which banking company on or about the 16th day of December, 1904, and at the time of the embezzlement of the money of said bank as hereinafter mentioned was doing a banking business in the city of Canton, Stark County, Ohio, as a free banking company, and the said Corwin D. Bachtel and William L. Davis by virtue of their said offices as cashier and director respectively, of the said The Canton State Bank, at said time and place and being in said county of Stark and State of Ohio, on the 16th day of December, 1904, unlawfully, feloniously and knowingly did misapply the moneys of the said The Canton State Bank, to wit Twenty one hundred and fifty dollars ($2150) which were then and there under their control, care and custody as cashier and a director respectively,
54 to the use and benefit of him the said William L. Davis, with intent to injure and defraud the said The Canton State Bank of the same, and which money had then and there been received into and then and there were in the possession of them the said Corwin D. Bachtel and William L. Davis by virtue of their said office and employment as cashier and as director respectively as aforesaid, of the said The Canton State Bank.

Second Count.

And the Jurors of the Grand Jury aforesaid, in and for the county aforesaid, on their oaths aforesaid, and in the name and by the authority of the State of Ohio aforesaid, do further find and present that the said Corwin D. Bachtel and William L. Davis aforesaid, late of the County aforesaid, at the time and date aforesaid, and at the county aforesaid, being then and there cashier and a director aforesaid, of the said The Canton State Bank as aforesaid, did on or about the 16th day of December, 1904, unlawfully, feloniously, knowingly and willfully embezzle the moneys of the said The Canton State Bank, the sum of Two thousand one hundred and fifty ($2150.00) dollars, and which said sum of Two thousand one hundred and fifty ($2150.00) dollars, is the same sum, amount and money as referred to in the first count of this indictment, and which money as referred to in the first count of this indictment was, then and there under their control, care and custody as cashier and a director aforesaid, by virtue of their said offices and with intent then and there on the part of them the said Corwin D. Bachtel as aforesaid, and William L. Davis, director as aforesaid, to convert the same to the use and benefit of him the said William L. Davis, with the intent on the part of them the said Corwin D. Bachtel cashier as aforesaid, and William L. Davis director as aforesaid, to then and there and thereby injure and defraud the said The Canton State Bank, and which money had then and there been received into and was in the possession of them the said Corwin D. Bachtel cashier as aforesaid, and William L. Davis director as aforesaid, by virtue of their said office and employment as cashier and director respectively as aforesaid, of said The Canton State Bank, contrary to the statute in such case made and provided and against the peace and dignity of the State of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

55 Endorsed as follows: Indictment for Misapplication of Money—Count for Embezzlement. A True Bill. Joseph Folk, Foreman of the Grand Jury.

Certificate.

THE STATE OF OHIO, *Stark County, ss:*

I, Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a full, true and correct copy of the original indictment, together with the endorsements thereon, now on file in my office.

Witness my hand — the seal of said court at Canton, Ohio, this 14th day of June, 1906.

JACOB J. WISE, *Clerk.* [SEAL.]

56 *Indictment for Willfully Misapplying the Money, Funds, and Credits of the Canton State Bank, with Count for Embezzlement.*

Revised Statutes, Secs. 7193-4, 7206-7-10-15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, Ohio, of the Term of May in the Year of our Lord One Thousand Nine Hundred and Six.

The Jurors of the Grand Jury of the County of Stark and State of Ohio, then and there duly impaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their said oaths, in the name and by the authority of the State of Ohio, do find, present: That Corwin D. Bachtel late of said County, on the 1st day of July in the year of our Lord one thousand nine hundred and four, at the County of Stark aforesaid said Corwin D. Bachtel then and there being the cashier of and a director of a certain banking Company, known as The Canton State Bank, a corporation duly incorporated and organized under the law of the State of Ohio, known as and being the free banking Company on or about July 1, 1904, and at the time of willfully misapplying the moneys, funds and credits of said bank as hereinafter mentioned, was doing a banking business in the city of Canton, Stark County, Ohio, as a free banking company did then and there willfully, unlawfully and fraudulently misapply to the use of The Miller Co., certain moneys, funds and credits of said banking Company to the amount of Two Thousand ($2000.00) dollars, then in the hands of The First National Bank of Cleveland, Ohio, and owing by said The First National Bank of Cleveland, Ohio, to said The Canton State Bank, by signing his name as cashier to, and executing and delivering to The Miller Co., a certain draft or check, a copy of which is as follows:—

No. 4782.

CANTON, OHIO, *July 1st,* 1904.

The Canton State Bank

Pay to the order of Miller Co. $2000.00, Two thousand Dollars.
First National Bank, Cleveland, O.

C. D. BACHTEL, *Cashier.*

57 and which draft or check so signed, executed and delivered as aforesaid was without any consideration therefor whatsoever, and which draft or check was paid by said The First National Bank of Cleveland, Ohio, out of said moneys funds and credits aforesaid, and charged by said The First National Bank of Cleveland,

Ohio, to said The Canton State Bank, and said draft or check at said time, was signed, executed and delivered and said moneys, funds and credits willfully, misapplied as aforesaid, with the intent on the part of said Corwin D. Bachtel to injure and defraud said The Canton State Bank, the President thereof Austin C. Brant and certain directors thereof, William Wagner, William R. Zollinger and W. H. Hoover and the stockholders, depositors and creditors of said The Canton State Bank. And the Jurors of the Grand Jury aforesaid, inquiring as aforesaid, on their said oaths aforesaid, and in the name and by the authority of the State of Ohio, aforesaid, do further find and present, that Harvey H. Miller late of the county aforesaid, before and at the time the said moneys, funds and credits of said The Canton State Bank were willfully misapplied by the said Corwin D. Bachtel as aforesaid, at the time and date aforesaid, and at the County aforesaid, did feloniously, willfully, fraudulently and maliciously aid, abet, incite and procure the said Corwin D. Bachtel cashier as aforesaid, of the said The Canton State Bank as aforesaid, the said moneys, funds and credits aforesaid, in manner and form aforesaid, to willfully misapply as aforesaid, he, the said Harvey H. Miller, then and there well knowing that he, the said Corwin D. Bachtel to be then and there the cashier of the said, The Canton State Bank as aforesaid, and that said The Canton State Bank was incorporated and organized and doing business as a banking company as aforesaid, contrary to the statute in such case made and provided and against the peace and dignity of the state of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

Endorsed as follows: Indictment for Willfully misapplying the money funds and credits of The Canton State Bank. A True Bill. Joseph Fulk, Foreman of the Grand Jury.

(Certificate.)

THE STATE OF OHIO, *Stark County, ss:*

I, Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a full, true and correct copy of the original indictment, together with
58 the endorsements thereon, now on file in my office.

Witness my hand and the seal of said court at Canton, Ohio, this 14th day of June, 1906.

JACOB J. WISE, *Clerk.* [SEAL.]

59 *Indictment for Misapplication of Funds of The Canton State Bank, with Count for Misapplication of Credits.*

Revised Statutes, Secs. 7183-4, 7206-7-10-15.

(Felony.)

THE STATE OF OHIO, *Stark County, ss:*

In the Court of Common Pleas, Stark County, Ohio, of the Term of May in the Year of our Lord One Thousand Nine Hundred and Six.

The Jurors of the Grand Jury of the County of Stark and State of Ohio, then and there duly impaneled, sworn and charged to inquire of and present all offenses whatever committed within the limits of said County, on their said oaths in the name and by the authority of the State of Ohio, do find and present: That Corwin D. Bachtel late of said County, on the 13th day of August in the year of our Lord one thousand nine hundred and four, at the County of Stark aforesaid, being then and there the cashier and a director of a certain Banking Company known as The Canton State Bank, a corporation, duly incorporated and organized under the law of the State of Ohio, known as and being the free banking act of 1851 and found in the Revised Statutes of Ohio, and which banking company on or about the 13th day of August, 1904, and at the time of the willful misapplication of the moneys, funds and credits of said Bank as hereinafter mentioned, was doing a banking business in the City of Canton, Stark County, Ohio, as a free banking Company, and the said Corwin D. Bachtel having by virtue of his said office, the general superintendence of the affairs of the said The Canton State Bank, at said time and place and being in said County of Stark and State of Ohio, and on the 13th day of August, 1904, unlawfully, feloniously, knowingly and willfully did misapply the moneys, funds and credits of the said The Canton State Bank, which were then and there under his control, care and custody as cashier aforesaid, by virtue of his said office, with intent then and there on the part of him the said Corwin D. Bachtel cashier as aforesaid, to convert the same to the use and benefit of The Miller Company, a corporation of Canton, Ohio, in a large sum, to wit: in the sum of Twenty
60 three hundred and fifty ($2350.00) dollars, and with the further intent on the part of the said Corwin D. Bachtel, cashier as aforesaid, to then and there and thereby injure and defraud the said The Canton State Bank, the said Corwin D. Bachtel, cashier as aforesaid, then and there willfully misapplying the said moneys, funds and credits of the said banking Company, to the use and benefit of the said The Miller Company, by then and there cashing a certain draft, which said draft when so cashed was in the words and figures following, to wit:—

$2350. AUG. 13, 1904.

At sight, pay to the order of Canton State Bank, Twenty three hundred and fifty dollars with exchange Value received and charge to account of

THE MILLER CO.,
By H. H. MILLER, *Tr.*

To Mansfield Linseed Oil Co., Mansfield, O.

which said draft was then and there, when so cashed, a worthless, unsecured, false and fictitious draft and obligation, which had been drawn by the said The Miller Company, per H. H. Miller, Tr., which said H. H. Miller was Harvey H. Miller, upon The Mansfield Linseed Oil Co., at a time when the said Mansfield Linseed Oil Co. was not indebted in the sum of Twenty-three hundred and fifty ($2350.00) dollars, nor in any other sum approximating Twenty-three hundred and fifty dollars ($2350.00) to the said The Miller Company, nor was there any consideration of any kind or value moving from the said The Miller Company, to the Mansfield Oil Co., nor to any other person, for the acceptance of the said draft, but the same was false fraudulent and unauthorized, all of which was at the time well known by the said Corwin D. Bachtel cashier as aforesaid, the said cashing of the said draft so made as aforesaid, by the said Corwin D. Bachtel, cashier as aforesaid, was then and there made from and by the use of said moneys, funds and credits of the said The Canton State Bank, by the said Corwin D. Bachtel, cashier as aforesaid, by virtue of his said office, then and there cashing the draft, and then and there giving and causing to be given by
61 the cashing of said draft to H. H. Miller, Tr., who is the said Harvey H. Miller, of *of* the said The Miller Co., the sum of Twenty-three hundred and fifty ($2350.00) dollars, and the said sum of money was thereby withdrawn from the moneys, funds and credits of The Canton State Bank, and paid out by the said Corwin D. Bachtel, cashier as aforesaid, of the said The Canton State Bank, from the funds and moneys of the said The Canton State Bank, to and for the use and benefit and upon the order of the said The Miller Co., in due course of business whereby the said sum of Twenty-three hundred and fifty dollars ($2350.00) became converted to the use and benefit of the said The Miller Co., and lost to the said The Canton State Bank, and the Jurors of the Grand Jury aforesaid, do further find and present that Harvey H. Miller late of said county of Stark and State of Ohio, in the County and State aforesaid, at the time aforesaid, and before said misapplication of said monies and funds aforesaid, did unlawfully, willfully, knowingly and feloniously and with intent to injure and defraud the said The Canton State Bank, as aforesaid, on or about the 13th day of August, 1904, aid, abet, incite and procure the said Corwin D. Bachtel, cashier as aforesaid, to wrongfully, unlawfully, knowingly, feloniously and willfully misapply as aforesaid, the moneys, funds and credits of the said, The Canton State Bank, to-wit: the sum of Twenty three hundred and fifty ($2350.00) dollars, as aforesaid, he, the said Harvey H. Miller, then and there knowing the said Corwin D. Bachtel to

be then and there the cashier of The Canton State Bank, as aforesaid.

Second Count.

And the Jurors of the Grand Jury aforesaid, in and for the County aforesaid, on their oaths aforesaid, and in the name and by the authority of the State of Ohio, aforesaid, do further find and present that the said Corwin D. Bachtel aforesaid, late of the county aforesaid at the time and date aforesaid, and at the County aforesaid, being then and there the cashier of a certain banking Company, then and there known and designated as The Canton State Bank, which said The Canton State Bank was a corporation, duly organized and incorporated under the law of the State of Ohio, known as and being the free banking act of 1851, and which banking Com-
62 pany, on or about August 13th, 1904, and at the time of willfully misapplying the moneys funds and credits of said bank as hereinafter mentioned, was doing a banking business in the city of Canton, Stark County, Ohio, as a free banking Company, and the said Corwin D. Bachtel having by virtue of his said office as cashier, the general superintendence of the affairs of said bank, unlawfully, feloniously, knowingly and willfully did misapply the moneys, funds and credits of the said, The Canton State Bank, which were then and there under his contral, care and custody as cashier as aforesaid, by virtue of his said office with intent then and there on the part of him the said Corwin D. Bachtel, cashier as aforesaid, to convert the same to the use and benefit of The Miller Company, a corporation of Canton, Ohio, in a large sum, to wit: in the sum of Twenty-three hundred and fifty ($2350.00) dollars, and with the further intent on the part of him the said Corwin D. Bachtel cashier as aforesaid, to then and there and thereby injure and defraud the said, The Canton State Bank; the said Corwin D. Bachtel, cashier as aforesaid, then and there willfully misapplying the said moneys, funds and credits of the said banking Company, by then and there cashing a certain draft, which said draft, when so cashed, was in the words and figures following, to wit:—

$2350.00. AUG. 13, 1904.

At sight, pay to the order of Canton State Bank, Twenty-three hundred and fifty dollars, with exchange. Value received and charge to account of

THE MILLER CO.,
Per H. H. MILLER, *Tr.*

To Mansfield Linseed Oil Co.

which said draft is the same draft as described and referred to in the first count in this indictment, which said draft was then and there, when so cashed, a worthless, unsecured, false and fictitious draft and obligation, which had been drawn by the said, The Miller Company, per H. H. Miller, Tr., which said H. H. Miller was Harvey H. Miller, upon The Mansfield Linseed Oil Co., at a time when the said Mansfield Linseed Oil Co., was not indebted in the sum of Twenty-

three hundred and fifty ($2350.00) dollars, nor in any other
63 sum approximating Twenty-three hundred and fifty ($2350.00) dollars, to the said The Miller Co., all of which was well known to the said Corwin D. Bachtel, cashier as aforesaid, of The Canton State Bank, as aforesaid, at the time he cashed said draft aforesaid, nor was there any consideration of any kind or value moving from the said, The Miller Co., to the Mansfield Oil Co., nor to any other person for the acceptance of said draft, but the same was false, fraudulent and unauthorized, all of which was at the time well known by the said Corwin D. Bachtel cashier as aforesaid, at the time he cashed said draft as aforesaid, The said cashing of the said draft so made as aforesaid, by the said Corwin D. Bachtel as aforesaid, was then and there made from and by the use of the moneys, funds and credits of the said, The Canton State Bank, by the said Corwin D. Bachtel, cashier as aforesaid, by virtue of his said office, then and there cashing the draft and then and there giving and causing to be given by the cashing of said draft credit upon the books of the said The Canton State Bank, to the account of the said, The Miller Co., in the sum of Twenty-three hundred and fifty ($2350.00) dollars, which said credit was afterwards used by the said, The Miller Co., and the moneys, funds and credits of The Canton State Bank, and paid out by the said The Canton State Bank, to and for the use and benefit and upon the order of the said, The Miller Co., in due course of business whereby the said sum of Twenty-three hundred and fifty ($2350.00) dollars, became converted to the use and benefit of the said, The Miller Co., and lost to the said The Canton State Bank, and the Grand Jurors aforesaid, do further find and present that Harvey H. Miller, late of the County of Stark, in the State of Ohio aforesaid, did unlawfully willfully, knowingly, feloniously and with intent to injure and defraud The Canton State Bank as aforesaid, on or about August 13th, 1904, aid, abet, incite and procure the said, Corwin D. Bachtel, cashier as aforesaid, to wrongfully, unlawfully knowingly, feloniously and willfully misapply as aforesaid, the moneys, funds and credits of the said The Canton State Bank, to wit:—the sum of Twenty-three hundred and fifty dollars, ($2350.00) as aforesaid, he, the
64 said Harvey H. Miller, then and there well knowing the said Corwin D. Bachtel to be then and there cashier of the said, The Canton State Bank, as aforesaid, contrary to the statute in such case made and provided and against the peace and dignity of the State of Ohio.

CHARLES C. UPHAM,
Prosecuting Attorney.

Endorsed as follows: Indictment for Misapplication of funds and credits. A True Bill. Joseph Folk, Foreman of the Grand Jury.

(*Certificate.*)

THE STATE OF OHIO, *Stark County, ss:*

I, Jacob J. Wise, Clerk of the Court of Common Pleas, in and for said County, do hereby certify that the within and foregoing is a full, true and correct copy of the original indictment, together with the endorsements thereon, now on file in my office.

Witness my hand and the seal of said court, at Canton, Ohio, this 14th day of June, 1906.

JACOB J. WISE, *Clerk.* [SEAL.]

65 Journal B, Page 461.

And thereupon at this same term and date, to wit:—

Be it remembered that on this day, at the Court House, Court Room Number 2, at the city of Canton, in said county, R. Frank Wilson, the sheriff of said county having now appeared with the body of said Corwin D. Bachtel before the undersigned judge of said court in pursuance of the writ of *habeas corpus* issued in the above entitled proceeding, it is ordered that said sheriff shall have the body of said Corwin D. Bachtel before the judges of our said Circuit Court, or any one of them, at the same place on Saturday the 16th day of June, 1906, at 9 o'clock A. M. unless the said Corwin D. Bachtel shall enter into a recognizance to the State of Ohio, in due form to appear before said judges or any one of them at that time and place, and abide any order that may be made by them in the premises, in the sum of Seven Thousand dollars, with sureties to my acceptance and it is further ordered that at said time and place above fixed said sheriff shall make full return to said writ.

Done at Canton, Ohio, this June 11th 1906.

T. T. McCARTY,
Judge of the Circuit Court,
Stark County, Ohio.

And thereupon at this same term and date to-wit:—

Journal B, Page 461.

This day came Corwin D. Bachtel and with D. S. Sommer, G. P. Craig, A. T. Stone, Helen M. Bachtel, John Skeeles and J. H. Bachtel as his sureties entered into a recognizance before the court in the sum of Seven Thousand Dollars, which recognizance reads and is in the words and figures folowing to wit:

"Be it remembered that on the 11th day of June A. D. 1906 personally appeared before Thomas D. McCarty, one of the Judges of said Court and acknowledged themselves to owe to the State of Ohio the penal sum of $7000.00 to be levied on their goods and chattels lands and tenements, if default be made in the condition following, to wit:—The condition of the above obligation is such

that if the said Corwin D. Bachtel shall appear before the Judges of said Circuit Court or any one of them on Saturday, June 16" 1906 at 9 o'clock A. M. at the Court House in Court Room No. 2 in said County and abide the further order and judgment of said Judges or any one of them and not depart without leave, then this obligation to be void, otherwise to be in full force and effect.

66

CORWIN D. BACHTEL.
D. S. SOMMER.
G. P. CRAIG.
A. T. STONE.
HELEN M. BACHTEL.
JOHN SKEELES.
J. H. BACHTEL.

Approved June 11th, 1906.

JACOB J. WISE, *Clerk.*

And afterwards on the 16th day of June A. D. 1906 during vacation after the February Term of the said Circuit Court at Chambers to wit:—

Journal B, Page 464.

This cause came on for hearing before Hon. Thos. T. McCarty, one of the said Judges of said Circuit Court, upon the motion of the defendant, Corwin D. Bachtel, for a continuance upon consideration whereof the court continues this cause until Monday, June 18th, 1906 at 8:30 o'clock A. M. at the Court House, Canton, Ohio. The bond given herein to remain in full force and effect.

And afterwards on the 18th day of June A. D. 1906 during vacation after the February Term of the said Circuit Court at Chambers, to wit:—

Journal B, Page 468.

This cause came on to be heard at Chambers after the February Term 1906, to-wit—On June 18th, 1906, before Honorable T. T. McCarty, one of the Judges of the Circuit Court of Stark County, Ohio, on the petition and exhibits attached thereto of the applicant Corwin D. Bachtel for a Writ of *Habeas Corpus* and upon the return and exhibits attached thereto of R. Frank Wilson as sheriff of Stark County, Ohio; and the same having been heard upon said pleadings, exhibits and arguments of counsel, said Judge finds that the said applicant Corwin D. Bachtel was at the time of the filing of said application in the custody of R. Frank Wilson as Sheriff of Stark County, Ohio, by virtue of an order of Court of Common Pleas of said county for his detention and imprisonment in the jail of said County to await his trial upon indictments found and returned by the Grand Jury of said Stark County against the said Corwin D.

Bachtel charging him with having committed certain offenses set forth in said indictments contrary to Section 30 of an act entitled "An Act to authorize Free Banking," passed by the General
67 Assembly of the State of Ohio on March 21st, 1851, as the same was amended on April 24th, 1879, and now known as Section (3821-85) of the annotated statutes of Ohio. And the said Judge finds that said Section 30 of said Act is not in contravention of Article 1, of Sections 1 and 2 and of Article 2, Section 26 of the Constitution of Ohio and that it is not in contravention of the 14th Amendment of the Constitution of the United States as alleged by the said Corwin D. Bachtel in his said application and the Court further finds that said Corwin D. Bachtel is not and was not at the time of the filing of said application unlawfully detained by the respondent R. Frank Wilson as sheriff of said Stark County and that the application of said Corwin D. Bachtel for a Writ of *Habeas Corpus* should be dismissed. It is further ordered, con, sidered and adjudged by said Judge that the application of the said Corwin D. Bachtel for said Writ of *Habeas Corpus* be dismissed and that said Corwin D. Bachtel be remanded to the custody of said R. Frank Wilson respondent as sheriff of Stark County, Ohio, and by virtue of said orders of the Court of Common Pleas to be by him held for trial under the indictments set up and referred to in these proceedings. It is further considered that the said Corwin D. Bachtel pay the costs of these proceedings taxed at $—— and for which execution is awarded against him and to all of the findings, orders and judgments aforesaid, said Corwin D. Bachtel now here excepts.

T. T. McCARTY.

Done at Canton, Ohio, this 18th day of June A. D. 1906.

And afterwards on the 18th day of June A. D. 1906 there was duly filed in the Clerk's office of said court a certain Mandate from Supreme Court in this cause which Mandate reads and is in the words and figures following to-wit:—

Mandate from Supreme Court Filed.

STATE OF OHIO, *City of Columbus:*

Supreme Court of the State of Ohio, of the Term of January, A. D. 1906, to-wit, Monday, June 18th.

CORWIN D. BACHTEL
vs.
FRANK WILSON, Sheriff.

On motion of the plaintiff in error and for good cause shown, it is hereby ordered by the court that the execution of the judgment herein be suspended, upon plaintiff in error giving an undertaking in the sum of $7,000.00, subject to the approval of the Clerk
68 of Courts of Stark County, Ohio, until the final determination of this action in this Court.

I, Lawson E. Emerson, Clerk of the Supreme Court of the State of Ohio, do hereby certify that the foregoing entry is truly taken and correctly copied from the records of said Court, to wit: from Journal No. 21, Page 130.

In Witness Whereof I have hereunto subscribed my name and affixed the Seal of said Supreme Court, this 18th day of June A. D. 1906.

LAWSON E. EMERSON, *Clerk,*
By J. G. OBERMEYRE, *Deputy.* [SEAL.]

And thereupon on this same day there was duly filed in the Clerk's office of said court, a certain bond in this cause, which bond reads and is in the words and figures following to wit:—

Bond Filed.

Recognizance for Suspension of Execution of Sentence.

Revised Statutes, Section 7322.

THE STATE OF OHIO
vs.
CORWIN D. BACHTEL.

In Supreme Court of Ohio.

Error.

THE STATE OF OHIO, *Stark County, ss:*

Be it remembered, That on the 18th day of June A. D. 1906, Corwin D. Bachtel and John Skeeles, A. T. Strong, G. P. Craig, D. S. Sommer, J. H. Bachtel Helen M. Bachtel his sureties personally appeared before Jacob J. Wise, Clerk of Courts in and for the County of Stark aforesaid, and jointly and severally acknowledged themselves to owe the State of Ohio the sum of Seven Thousand Dollars, to be levied of their respective goods and chattels, lands and tenements if default be made in the condition following, to wit: The condition of this recognizance is such, that if the above bound Corwin D. Bachtel shall personally be and appear before the Supreme Court of Ohio until the above case in error of said Corwin D. Bachtel is determined, and abide the judgment or sentence of the Court, and not depart without leave then this recognizance shall be void; otherwise it shall be and remain in full force and virtue in law.

CORWIN D. BACHTEL.
JOHN SKEELES.
A. T. STONE.
G. P. CRAIG.
D. S. SOMMER.
J. H. BACHTEL.
HELEN M. BACHTEL.

Taken and acknowledged in open court on the day and year first above written.

JACOB J. WISE, *Clerk.*

And afterwards on the 2nd day of July A. D. 1906 there was duly filed in the Clerk's office of said court a certain Mandate
69 from Supreme Court in this cause, which Mandate from Supreme Court reads and is in the words and figures following to-wit:—

Mandate from Supreme Court Filed.

STATE OF OHIO, *City of Columbus:*

Supreme Court of the State of Ohio, January Term, A. D. 1906, to-wit, Friday, June 29th.

CORWIN D. BACHTEL
vs.
FRANK WILSON, Sheriff.

Error to the Circuit Court of Stark County.

This cause came on to be heard upon the petition in error and was argued by counsel of the respective parties. The court find from the record of the Circuit Court brought before it by said petition in error, that the plaintiff in error was indicted by a grand jury of the Court of Common Pleas of Stark County, Ohio, charging him with the commission of an offense contrary to the provisions of a statute of the State of Ohio, to-wit: section thirty of an act of the General Assembly of the State entitled "an act to authorize free banking," passed March 21, 1851, as amended April 24, 1879, (3821-85) Bates' Annotated Statutes of Ohio; that said section of said statute was and is the only statute or law of the State of Ohio under which said indictments were or could be found, returned or prosecuted; that upon the return of said indictments to said Court of Common Pleas the plaintiff in error demurred to said indictments upon the ground that said statute, section thirty aforesaid, was unconstitutional and that said statute and indictments were void for the reason, among others, that they were repugnant to and contravened the provisions of section one of the fourteenth amendment of the constitution of the United States and that therefore said Court of Common Pleas was without jurisdiction in law over the plaintiff in error, or in respect of the charge made in said indictments, which demurrer was by said Court of Common Pleas heard and overruled; that the plaintiff in error thereafter petitioned one of the judges of the Circuit Court of the State of Ohio, in and for said Stark County for a writ of *habeas corpus* alleging in his said petition that he was unlawfully imprisoned and deprived of his liberty by the defendant in error by virtue of the order and writ of said Court of Common Pleas made and

issued under said indictments, and that said imprisonment
70 was without legal warrant because said Court of Common Pleas was without jurisdiction for the reason that said statute and indictments were void because they were repugnant to section one article one, section two article one, and section twenty-six article two of the Constitution of the State of Ohio, also section one of the fourteenth amendment of the Constitution of the United States; that the judge of said Circuit Court, petitioned as aforesaid, caused said writ of *habeas corpus* to issue to the defendant in error returnable to the three judges of said Circuit Court or any two of them; that upon the return of said writ the plaintiff in error contended at the hearing before the judges of said Circuit Court to whom said return was made that said statute and indictments were void for the reasons aforesaid, but said judges overruled said contention and adjudged that said statute and indictments were not repugnant to said section one article one, section two article one, section twenty-six article two of the Constitution of the State of Ohio, or section one of the fourteenth amendment of the Constitution of the United States, or either of them; that in his petition in error to this Court the plaintiff in error assigned as error in the judgment of the judges of said Circuit Court, that said judges erred in holding that section 30 of the act of March 21, 1851, entitled "an act to authorize free banking as amended April 24, 1879, section (3821-85) of the Annotated Statutes of Ohio, was not void and invalid as in violation of section one Article one, section two article one, and section twenty-six article two of the Constitution of the State of Ohio and of section one of the fourteenth amendment of the Constitution of the United States. Upon the hearing of this cause before this court the plaintiff in error contended that said statute was void and valid for the reasons so as aforesaid assigned. On consideration whereof, it is decided and adjudged that said statute and indictment are not void nor invalid nor repugnant to the said section one article one, section two article one, and section twenty-six article two of the Constitution of the State of Ohio or section one of the fourteenth amendment to the Con-
71 stitution of the United States or either of them or for any of the reasons assigned in said petition in error, and it is adjudged and ordered by this court that the judgment and order of said judges of said Circuit Court be and they are hereby affirmed and that the order heretofore granted suspending the judgment of said Circuit Court, be and the same is hereby dissolved, and it appearing to the Court that there were reasonable grounds for this proceeding in error, it is ordered that no fee or penalty shall be assessed herein. It is further ordered that the defendant in error recover his costs from the plaintiff in error herein expended, taxed at $—. Ordered, that a special mandate be sent to the Judges of the Circuit Court of Stark County, to carry this judgment into execution.

I, Lawson E. Emerson, Clerk of the Supreme Court of Ohio, do hereby certify that the foregoing entry is truly taken and correctly copied from the Journal of said Court.

Witness my hand and the seal of said court, this twenty-fourth day of July, A. D. 1906.

LAWSON E. EMERSON, *Clerk*,
By J. G. OBERMEYRE, *Deputy*. [SEAL.]

STATE OF OHIO, *City of Columbus:*

Supreme Court of Ohio.

To the Honorable Circuit Court within and for the County of Stark, Ohio, Greeting:

We do hereby command you, that you proceed, without delay, to carry the within and foregoing judgment of our Supreme Court of Ohio, in the case of Corwin D. Bachtel *vs.* Frank Wilson, Sheriff, into execution, the petition in error herein and heretofore granted, to the contrary notwithstanding.

Witness, Lawson E. Emerson, Clerk of our said Supreme Court of Ohio, at Columbus, this 24th day of July, 1906.

LAWSON E. EMERSON, *Clerk*,
By J. G. OBERMEYRE, *Deputy*. [SEAL.]

72 THE STATE OF OHIO, *Stark County, ss:*

I, Jacob J. Wise, Clerk of the Circuit Court, within and for said County, having the custody of the Files, Journals and Records of said Court, hereby certify that the foregoing from page 1 to page 67 is a true copy of the Record in cause No. 718 and from page 67 to page 71 is a certified copy of the Mandates from the Supreme Court and the Supercedeas Bond filed in cause No. 718—In the matter of the Application of Corwin D. Bachtel for Writ of *Habeas Corpus* as the same appears upon the Records of said court, and I further certify that I have carefully compared said foregoing copy with the original Record, and that the same is a full and correct transcript thereof.

Witness my hand and the seal of said court, at Canton, Ohio, this 15 day of September, A. D. 1906.

[Seal Common Pleas Court, Stark County, Ohio.]

JACOB J. WISE, *Clerk*.

73 Office of the Secretary of State.

COLUMBUS, OHIO, *June* 18, 1906.

It is hereby certified that the following statement showing the names and years of incorporation of banking institutions under the various banking acts passed by the General Assembly is approximately correct. These facts have appeared in the annual reports of the Secretary of State printed and distributed by authority of law, but to put the information into more convenient form, I have by request caused this statement to be prepared. It is well known that

many of these banks have ceased to exist, but the reports of this office do not furnish information upon that subject, the law requiring all reports from banks during their existence to be made to the Auditor of State and not to this office.

In witness whereof, I have hereunto subscribed my name and affixed my official seal.

[The Seal of the Secretary of State of Ohio.]

LEWIS C. LAYLIN,
Secretary of State.

The following banks were incorporated under "an act to authorize free banking" passed March 21, 1851.

Incorporated in 1851.

1. Piqua County Bank
2. The Stark County Bank
3. Iron Bank of Ironton
4. Merchants Bank of Massillon
5. Springfield Bank of Springfield
6. Bank of Marion
7. Forest City Bank
8. The Union Bank of Sandusky City
9. The Miami Valley Bank
10. The Champaign County Bank
11. Savings Bank of Cincinnati
12. The Bank of Commerce, Cleveland
13. Drovers Bank of Hudson
14. Northwestern Bank of Ohio
15. Merchants of Toledo
16. Franklin Bank of Portage County
17. Tradesmen Bank of Cleveland
18. Bank of Medina
19. Bank of Urichville
20. Citizens of Steubenville
21. Exchange Bank of Cleveland
22. Bay City Bank of Sandusky
23. Cuyahoga Bank
24. Commercial Bank of Akron
25. Wool Growers Bank.

74 Incorporated in 1857.

26. Seneca County Bank.
27. Bank of Delaware.

Incorporated in 1858.

28. Mechanics Bank of Salem.
29. Bank of Ohio Valley.

Incorporated in 1859.

30. Farmers Bank of Cambridge.
31. Marine Bank.

Incorporated in 1861.

32. Mt. Vernon Bank.

Incorporated in 1862.

33. Mt. Gilead Bank.
34. La Fayette Bank of Cincinnati.

Incorporated in 1864.

35. Franklin Bank of Cincinnati.

Incorporated in 1868.

36. Commercial Bank of Cincinnati.

Incorporated in 1870.

37. Bank of Portsmouth.

Banks Incorporated under Free Banking Act, Amended April 24th, 1879.

Incorporated in 1879.

Commercial Bank of Cincinnati, June 20th.
(The articles in corporation recite the re-organization of this bank under the act of 1879.)

Incorporated in 1884.

The Farmers Bank of Mechanicsburg, March 4th.
Merchants' and Farmers Bank, Hicksburg, April 5th.
The Lancaster Bank, May 16.
The Mansfield Savings Bank, May 29th.

Incorporated in 1890.

Bank of Marysville, September 18, Vol. 43, p. 464.
Roseville Company Bank.

Incorporated in 1891.

Geo. D. Harter Bank, October 1st.

Incorporated in 1892.

Erie County Banking Company, Vermilion, Vol. 54, p. 398.

75 Incorporated in 1892—Cont.

Peoples Banking Company, Louisville, Vol. 54, 492.
Peoples Deposit Bank, Mineral Point, June 14.
Bank of Wellston, June 1st, Vol. 82, p. 98.
Citizens Bank of McConnelsville.
Citizens Bank of Yellow Springs.

Incorporated in 1893.

Lochard Banking Company, Williamsburg.
Peoples Bank Company, Lewisburg.
Farmers Bank of West Liberty.
Citizens Bank of Shelby.

Incorporated in 1900.

Canton State Bank.

Incorporated in 1901.

Citizens Bank, Higginsboro.

Incorporated in 1902.

Edgerton State Banking Company, December 11, Vol. 93, p. 382.
Licking County Bank, June 6th, Vol. 90, p. 560.
Oak Hill Savings Bank Co., Nov. 5th, Vol. 93, p. 449.
Peoples Banking Company, Hollinsburg, Oct. 25, Vol. 93, p. 207.
Cooksville Banking Company.
Liberty Bank Company, Ada.
La Rue Bank Company, La Rue, Ohio.
Peoples Bank, Frazierburg.
Farmers Bank Company of Arcanna.
Vinton Bank Company.

Incorporated in 1903.

Berbholz State Banking Company, March 5, Vol. 97, p. 94.
Bank of Wren Company, April 22-May 17, 1904, Vol. 99, p. 293.
Kunkle State Banking Company, June 8th, Vol. 93, p. 675.
Peoples Bank Company of Amsterdam.
Massillon State Banking Company.
Citizens Banking Company of Felicity.
Citizens Banking Company of Waynesville.
Peoples Banking Company, Salineville.
Hebron Bank Company.
Farmers Bank of Granville.

Incorporated in 1904.

Mount Victory, July 15th, Vol. 99, p. 417.
State Bank of Moscoll, August 29, Vol. 100, p-. 518-520.

Colonial Bank Company of Columbus.
Citizens Bank Company of Beverly.
Commercial Bank of Kenton.
Farmers Bank of Springsboro.
Marengo Bank Company.
Peoples Bank Company of Nelsonville.
Peoples Bank Company of Pataskala.
Farmers & Merchants Bank of Millersburg.

Incorporated in 1905.

Portsmouth Banking Company, Nov. 9, Vol. 110, p. 312.
Peoples Banking Company of Versailles, July 10, Vol. 109, p. 262.
Sardinia Bank Company, May 6th, Vol. 109, p. 106.
Security Savings Bank Company, April 26th, Vol. 109, p. 64.
Twin City State Bank, June 1st, Vol. 109, p. 179.
Commercial Bank of Wooster.

76 Incorporated in 1905.

Alexandria Banking Company of Alexandria.

Banks Incorporated under "An Act to Incorporate Savings Societies," Passed April 16th, 1867.

1. Cincinnati Saving Society of Hamilton County, April 30, 1867.
2. Portsmouth Savings Society. July 31, 1869.
3. Miami Valley Saving Society. October 20th, 1868.
4. The Farmers Saving Society of Lima. January 4th, 1869.
5. The Dime Saving Society Marietta. November 22, 1871.
6. Springfield Savings Society of Clarke County, December 13, 1872.

Banks Incorporated under the Act Entitled "An Act to Incorporate Savings & Loan Associations, Passed Feb. 26, 1873.

Incorporated in 1873.

Nevada Deposit Bank, April 9.
Hubbard Savings Bank, June 30th.
Mansfield Saving Bank, May 23.
German Sav. & Bank Co. Cincinnati.
Central Bank of Upper Sandusky, March 3rd.
Tiffin Savings Bank, September 3rd.
Hancock Sav. & Loan Assn. July 5th.
Citizens Savin-s Bank, May 15th.
Dennison S. & L. Assn. November 17th.
Dayton Savings Bank, November 20th.
National Savings Bank of Toledo, April 5th.
Columbus Savings Bank, April 29th.
Citizens Savings Bank, Columbus, May 12th.
Franklin Savings Bank, Columbus, May 17th.

German Bank Company, Cincinnati, May 17th.
Mansfield Banking Company, May 22.
Cleveland Savings Bank, July 11th.
German Savings Bank of Cleveland, July 11th.
Bohemian Sav. Bank Society, August 7th.
Cleveland Bank of Commerce, Aug. 7th.
The Gerard Sav. Bank, August 22nd.
Farmers & Traders Bank, Toledo, August 13th.
The Knox County Savings Bank, August 13th.
The Mansfield Savings Bank, August 13th.
The Lima Bank Company, Oct. 15th.

Incorporated in 1874.

The Monroe Bank, January 28th.
Farmers Bank, Canton, February 21st.
The Dayton Sav. Bank, February 24th.
Farmers & Mechanics Bank, Cadiz, March 13th.
The Deposit Sav. Bank, Leetonia, April 30th.
Fairfield County Bank, August 19th.
Toledo Sav. Bank & Trust Company, June 26th.
The City Bank of Norwalk, September 7th.
The Farmers Sav. Bank, Burg Hill, September 15th.
Farmers Bank of Mt. Sterling.
Belmont Bank, Somerton, October 8th.
Farmers Dep. & Sav. Bank, Bohland, Oct. 16th.
Berea Sav. & Loan Ass'n, October 22nd.

77 Incorporated in 1875.

The North Western Sav. Bank, January 25th.
Berea Savings Bank, January 25th.
Farmers Bank of Wooster, January 25th.
Western German Bank, Cincinnati, February 25th.
Home Sav. Ass'n, Troy, February 22nd.
The American Sav. & Loan Ass'n, Dayton, March 5th.
Hardin Sav. Bank, Kenton, March 27th.
Bank of Madison.
Lockland & Reading Sav. & Loan Ass'n, April 3rd.
Ohio City Bank, Mt. ——, May 6th.
Citizens Sav. Bank of Portsmouth, May 10th.
Cardington Bank Company, June 23rd.
Sandusky Savings Bank, July 10th.
Bank of Middleport, July 12th.
Larkin Bank, Cincinnati, August 6th.
Capital City Bank, August 14th.
Kenton Sav. Bank, September 23rd.
Citizens Sav. Bank, Newark, November 29th.
Defiance Sav. Bank, Defiance, December 24th.

Incorporated in 1876.

Citizens Sav. Bank, Findlay, January 24th.
Farmers Sav. Bank of Leetonia, February 3rd.

Patrons Sav. Bank of Hamilton, March 8th.
Bank of Arcanan, April 13th.
Commercial Bank of Tiffin, May 18th.
Citizens Sav. Bank, Ashland, June 5th.
Bank of Cincinnati, August 31st.
Bellevue Bank of Bellevue, September 2nd.
Deposit Bank Company of Delaware, December 1st.

Incorporated in 1877.

Queen City Bank, January 17th.
Commercial Sav. Bank, January 30th.
The German Savings Bank, February 16th.
Commercial Bank, March 24th.

Incorporated in 1878.

Fairfield County Bank, September 6th.
Citizens Bank of Greenfield, November 14th.

Incorporated in 1879.

The South Cleveland Bank Company, July 7th.

Incorporated in 1881.

Columbus Sav. Bank Co., January 31st.
Monroe Bank, March 17th.
Huron County Banking Co., August 29th.

Incorporated in 1882.

The Fremont Savings Bank Co., March 6th.
The Fremont Banking Co.
The Alliance Bank Co., April 13th.
Ashley Bank Co., July 10th.
Ashley Banking Co., December 30th.
Greenwich Banking Co., November 15th.

78 Incorporated in 1883.

Fidelity Safe Deposit & Trust Co. January 26th.
The Savings & Trust Co., February 16th.
The Home Security Co. February 27th.
The Cleveland Safe Deposit Co., March 12th.
The Scioto Valley Bank, June 13th.
The Berlin Heights Banking Co. June 22nd.
The Newton Loan & Savings Co., August 24th.
The Peoples Banking Co., Clyde, October 17th.
The Manchester Farmers Bank, October 23rd.
The Ohio Loan & Investment Co., December 6th.
The Broadway Savings & Loan Co. " 18th.
The Citizens Bank Co.

Incorporated in 1884.

The Citizens Bank Co. of Napoleon, February 9th.

Incorporated in 1885.

The Greenville Bank Co., July 17th.
The Huron Bank Co., August 10th.

Incorporated in 1886.

The Peoples Banking Co. Jamestown, March 27th.
West Side Bank Co., Cleveland, March 5th.
The Farmers & Merchants Bank Co. July 17th.
The Central Bank of Versailles, August 23rd.
The East End Savings Bank, August 27th.
" Hubbard Savings Bank, October 7th.
" Franklin Savings Bank, November 30th.
Woodland Ave. Savings & Loan Co., Cleveland.

Incorporated in 1887.

The Dayton Loan & Investment Co., January 19th.
Union Safe Deposit & Trust Co., February 3rd.
Savings Bank Co., Chillicothe, February 16th.
Dollar Saving & Trust Co., March 28th.
Central Sav. Bank, Canton, May 7th.
Oak Harbor State Bank, May 9th.
German American Savings Bank Co. May 31st.
Farmers & Merchants Bank Co., June 10th.
Ohio State Savings & Loan Co., October 27th.

Incorporated in 1888.

The Akron Savings Bank, January 24th.
" Union Sav. Bank.
" " " Deposit & Trust Co., March 12th.
Sandusky Sav. Bank Co., March 12th.
Ohio Savings Bank Co., August 13th.
The American Trust Co., June 27th.

Incorporated in 1889.

Oberlin Bank Company, Jan. 18, Oberlin.
Peoples Banking Company, Jan. 18th. N. Baltimore.
Oglesby & Barnitz " Jan. 21st. Middletown.
Defiance Savings Bank Co., Jan. 23rd. Defiance.
Peoples Banking Company, Apr. 25. Wilmington.
Dime Savings Bank Company, June 15. Cleveland.
Forrest City Savings Bank Company, June 17th. Cleveland.
Tiffin Savings Bank Co., Aug. 29th. Tiffin.
Produce Exchange Banking Company, Sept. 9th. Cleveland.

Wright Banking Co. Sept. 18th. Bellevue.
Peoples Savings Bank Company, Sept. 19. Zanesville.
Pearl Street Savings & Loan Co. Oct 7. Cleveland.

79 Incorporated in 1889. Cont.

Findlay Savings Bank Company, Nov. 4th. Findlay.
Dime Savings & Banking Company, Nov. 21. Cleveland.
Dollar Savings Bank. Nov. 22. Bellaire.
Osborn Bank, Dec. 31. Osborn.

Incorporated in 1890.

Metropolitan Bank of Lima, Ohio, Jan. 23rd. Lima.
Home Banking Company, Jan. 24th. St. Marys.
Citizens Banking Company, Feb. 13. Weston.
Delaware Savings Bank, Feb. 20. Delaware.
Commercial Banking Company. Feb. 25. Bowling Green.
Newark Savings Bank Company, Mar. 6. Newark.
Croghan Bank & Savings Co. Mar. 6. Fremont.
Chagrin Falls Banking Company, Mar. 26th. Chagrin Falls.
Union Savings Bank & Trust Company, Apr. 9. Cincinnati.
Wade Park Banking Company, Apr. 17th. Cleveland.
Mechanics' Savings Bank Company, May 5. Cleveland.
Exchange Banking Co. May 6. Weston.
Harbor " " May 14. Harbor.
Deposit " " " 17. Delaware.
Pemberville " " June 28. Pemberville.
Dime Savings Bank Co., July 7. Alliance.
Mechanics Savings Bank Co. July 14. Fostoria.
Union Banking Co. July 21. Marysville.
Arcade Savings Bank Co. Sept. 27. Cleveland.
Peoples " " " Oct. 11. Akron.
Warren " " " " 16. Warren.
Savings Deposit " " Nov. 13. Elyria.
Loraine Street Savings Bank Co. Nov. 14. Cleveland.
Cincinnati Safe Deposit & Trust Co. Dec. 9th. Cincinnati.

Incorporated in 1891.

Lorain Savings & Banking Co., Jan. 7. Lorain.
Bridgeport Dollar Savings & Banking Co. Jan. 7th. Bridgeport.
Tiro Banking Company, Feb. 21st. Tiro.
Peoples Savings Bank Co. Feb. 23rd. Martins Ferry.
German American Bank, Mar. 2nd. Port Clinton.
Merchants Banking, Safe Deposit and Storage Co. Mar. 12. Cleveland.
Citizens Bank, Mar. 14th. Chardon.
Barberton Savings Bank Co., Mar. 30. Barberton.
Marine Bank Co. Apr. 1st. Cleveland.
Peoples Savings Bank Co., May 7th. Canton.
Glenway Loan & Deposit Co. June 2nd. Delhi Township.

Kinsman Banking Company, June 10. Kinsman.
Farmers & Mechanics Bank, June 19. Marion.
Wick Banking & Trust Company, July 30. Cleveland.
Marion County Bank, Aug. 14. Marion.
Merchants & Clerks Savings Bank Co., Sept. 5. Toledo.
Somerset Bank, Sept. 12. Somerset.
Norwalk Savings Bank Company, Oct. 9. Norwalk.
The East Side Banking Company, Nov. 24. Toledo.
The North Side Bank, Nov. 25. Cincinnati.
" State Savings Bank & Trust Co., Dec. 8. Columbus.
" Farmers Bank, Dec. 29. Marysville.

Incorporated in 1892.

Gunchel Banking Co., Jan. 7th. Middletown.
East Side Bank Co. Jan 12. Toledo.
Sandusky Safe Deposit Co., Feb. 11. Sandusky.
City Savings Bank Company, Mar. 3. Alliance.
Citizens Savings Bank " Mar. 7. Perrysburg.
Dollar Savings Bank " Apr. 18. Painesville.
Garfield " " " May 16. East Cleveland.
Union Banking Company, May 17. New Holland.

80 Incorporated in 1892. Cont.

Savings Deposit Bank Company, May 26. Medina.
Wakeman Bank Co. June 3. Wakeman.
Ashtabula Bank Company, June 14th. Ashtabula.
Citizens Bank Co., June 29. McConnelsville.
Bank of Corning Co. Sept. 29. Corning.
Bank of Minerva " Sept. 30. Minerva.
East End Savings Bank Co. Oct. 1. Columbus.
Central Savings Bank " Oct. 6. Portsmouth.
Bank of Mansfield, Oct. 7. Mansfield.
Home Savings Bank Co. Nov. 10. Toledo.
Spitzer Banking Co. Dec. 19. Toledo.

Incorporated in 1893.

Security Safe Deposit & Trust Co., Jan. 10. Toledo.
Citizens Savings Bank, Feb. 3. Lorain.
West Cleveland Banking Co., Feb. 11. West Cleveland.
Lorain Savings & Banking Company, Feb. 25. Lorain.
Fahey Banking Company, Mar. 7. Marion.
Home Safe Deposit & Trust Co. Apr. 7. Toledo.
City Hall Bank, Apr. 25. Cincinnati.
Montpelier Banking & State Savings Co. May 13. Montpelier.
Security Safe Deposit & Trust Co., June 9. Cleveland.
Ada Savings Bank Co. Sept. 22. Ada.
North Amherst Savings Bank Co., Oct. 10. North Amherst.
Commercial Banking Co. Nov. 9. Coshocton.
Ohio Safe Deposit & Trust Co., Dec. 12. Dayton.

Incorporated in 1894.

Franklin Bank Company, Jan. 9. Newark.
Fifth Avenue Savings Bank Co., Jan. 15. Columbus.
Home Savings Bank Co. May 21. Wellington.
Guardian Trust Company. May 28. Cleveland.
Perry County Bank Company, Sept. 20. New Lexington.
Cleveland Trust Company, Sept. 20. Cleveland.
Gibsonburg Banking Company, Oct. 11. Gibsonburg.
Cuyahoga Savings & Banking Co., Nov. 9. Cleveland.
Citizens Bank, Nov. 15. Cardington.
J. P. Cummings' Co. (Dec. 11.) Nov. 21. Carrollton.
Home Banking Co. Dec. 11. Deshler.

Incorporated in 1895.

Dime Savings Bank Company. Jan. 24. Canton.
Penfield Avenue Savings Bank Company. Feb. 13. Lorain.
Detroit Street Savings & Loan Company, Mar. 27. Cleveland.
H. A. Thompson Banking Company, Apr. 17. Salineville.
Bank of Westerville Company, Apr. 18. Westerville.
Dollar Savings Bank Company, Apr. 18. St. Clairsville.
Massillon Savings & Banking Company, May. 20. Massillon.
Lorain County Banking Company, Sept. 26. Elyria.
Central Market Bank Company, Oct. 24. Columbus.
Market Exchange Bank Company, Nov. 13. Columbus.
Farmers Banking Company, Nov. 30. Paulding.
Peoples Savings & Trust Company, Nov. 30. Youngstown.

81 Incorporated in 1896.

Hardy Banking Company. January 29th. N. Baltimore.
Cleveland Savings & Banking Company, Feb. 18. Cleveland.
Geneva Savings Bank Co., May 23. Geneva.
Dime Savings Bank Company, Aug. 4th. Akron.
Ohio Trust Company, Nov. 7. Toledo.
Ohio Savings Bank Company, Nov. 7. Toledo.
Magruder Bank Company, Dec. 5. Port Clinton.
Orwell Banking Company, Dec. 7. Orwell.
Paulding Deposit Banking Company, Dec. 12. Paulding.

Incorporated in 1897.

Citizens Banking Company, Jan. 9th. Celina.
Central Savings Bank Company, Feb. 27. Akron.
Central Ohio Banking Company, Apr. 2. Columbus.
Peoples Safe Deposit & Savings Bank Co., Apr. 5. Cleveland.
Hamilton Dime Savings Bank Co., Apr. 9. Hamilton.
Seneca Banking Company, Apr. 15. Fostoria.
Citizens Savings Bank Co., July 24. Pemberville.
Bank of Berea Company, Sept. 11. Berea.

Farmers & Merchants Banking Co., Oct. 4. Cleveland.
City Banking Company, Nov. 8. Findlay.
Hamilton County Savings & Loan Co., Nov. 24. Cincinnati.

Incorporated in 1898.

American Trust Company, Jan. 8. Cleveland.
Hough Ave. Savings & Banking Co., Feb. 9. Cleveland.
Commercial Banking Company, Feb. 19. Martins Ferry.
Central Ohio Trust Company, Feb. 23. Columbus.
Central Ohio Savings Bank Co., Feb. 23. Columbus.
Citizens Savings Bank Company, Feb. 28. Warren.
Richland Savings Bank Co., Apr. 8. Mansfield.
Citizens Trust Company, May 20. Sandusky.
Citizens Banking Company, May 20. Sandusky.
Security Trust Company, June 14. Toledo.
Auburndale Savings Bank Company, Aug. 3. Toledo
City Deposit Bank Company, Aug. 9. Columbus.
Security Loan & Investment Company, Sept. 1. Columbus.
Antwerp Exchange Bank Company, Sept. 30. Antwerp.
Brighton German Bank Company. Nov. 12. Cincinnati.
Gambier Savings Bank Co., Nov. 28. Gambier.
Beach City Banking Company. Dec. 1. Beach City.

Incorporated in 1899.

Merchants Banking Company, Jan. 13. Manchester.
Commercial Savings Bank Co., Jan. 27. Toledo.
South Lorain Savings Company, Mar. 2. Lorain.
State Banking & Trust Company, Mar. 11. Cleveland.
Pioneer Trust Co., Mar. 22. Painsville.
Dollar Savings Bank Company, Mar. 24. Flushing.
Union Central Savings Bank Co., Apr. 15. Toledo.
Commercial Banking Company, Apr. 20. Montpelier.
Euclid Banking Company. May 22. Euclid.
Union Trust & Savings Bank Company, May 24. Bryan.
Citizens Savings Bank Company. June 3. Cambridge.
London Exchange Bank Company, June 20. London.
Richland County Bank Company, July 1. Butler.
Home Savings & Banking Company, July 17. Chicago.

82 Incorporated in 1899. Cont.

Walnut Hills Saving Bank Company, July 28. Cincinnati.
Farmers & Merchants Banking Co. Sept. 11. Minerva.
Peoples Savings & Banking Co. Nov. 18. Youngstown.
Cygnet Savings Bank Company, Dec. 4. Cygnet.
National Trust Company, Dec. 5. Cleveland.
Peoples Savings Bank Company, Dec. 11. Painesville.
Unity Banking & Savings Co., Dec. 16. Cincinnati.

Incorporated in 1900.

Farmers & Citizens Bank Co., Jan. 29. Payne.
City Banking Co., Jan. 29. Kent.
Bank of Commerce Company, Jan. 31. Columbus.
Farmers & Merchants Bank Company, Mar. 8. Arlington.
Fort Recovery Savings Bank Co., Apr. 3. Fort Recovery.
Newton Falls Banking Co., Apr. 9. Newton Falls.
Guarantee Deposit Co., Apr. 11. Cincinnati.
Provident Loan Co., Apr. 20. Cincinnati.
Akron Trust Co., Apr. 26. Akron.
Broadway Savings Bank Co., May 3. Toledo.
Guardian Trust & Safe Deposit Co., May 17. Zanesville.
Rocky River Savings & Banking Co., May 17. Rocky River Hamlet.
Cincinnati Trust Co., May 22. Cincinnati.
Bank of Wellston, June 1. Wellston.
Dime Savings Bank Co., June 9. Akron.
Genesee Savings & Banking Co., June 16. Cleveland.
Ashtabula Savings Bank Co., June 21. Ashtabula.
Wood County Savings Bank Co., July 9. Bowling Green.
Dime Savings Bank & Loan Co., July 19. Toledo.
West Side Dime Savings Bank Co., July 21. Columbus.
Farmers & Mechanics Savings Bank Co., July 31. Roseville.
Union Bank & Savings Co., Aug. 22. Cleveland.
Windemere Savings & Banking Co., Aug. 21. East Cleveland.
Grand Rapids Banking Co., Aug. 30. Grand Rapids.
Sylvania Savings Bank Co., Sept. 7. Sylvania.
Kilbuck Savings Bank Co., Sept. 27. Killbuck.
Bradner Savings Bank Co., Nov. 2. Bradner.
Rossford Savings Bank Co., Nov. 2. Rossford.
Provident Savings Bank Co., Nov. 10. Cincinnati.
Provident Trust Co., Nov. 10. Cincinnati.
Perry Savings Bank Co., Nov. 31. Cleveland.
Commercial Savings Bank & Trust Co., Nov. 16. Findlay.
Ohio Trust Co., Nov. 20. Columbus.
Federal Trust Co., Nov. 27. Cleveland.
Savings & Loan Banking Co., Dec. 3. New London.
Franklin County Savings Bank Co., Dec. 5. Columbus.
Conneaut Banking & Savings Co., Dec. 11. Conneaut.
Commercial Bank Co., Dec. 20. Celina.
Peoples Trust Co., Dec. 22. Cleveland.

Incorporated in 1901.

Farmers & Merchants Bank Co., Jan. 2. Sylvania.
Knights of Honor of the World Savings Bank Co., Jan. 2. Cincinnati.
Columbus Savings & Trust Co., Jan. 5. Columbus.
Clark Avenue Savings Bank Co., Jan. 7. Cleveland.
Ohio Valley Bank Co., Jan. 9. Gallipolis.

Elyria Savings & Banking Co., Feb. 6. Elyria.
Collinwood Savings Bank Co. Feb. 11. Collinwood.
Security Savings Bank Co., Feb. 18. Akron.
Dollar Savings & Banking Co., Feb. 27. Cleveland.
Marion Savings Bank Co., Mar. 4. Marion.
Household Loan & Savings Co., Feb. 27. Toledo.
Middlefield Banking Co., Mar. 15. Middlefield.

83 Incorporated in 1901. Cont.

Farmers & Merchants Deposit Co., Apr. 2. Swanton.
Commercial Bank Co., Mar. 20. Cambridge.
Lucas County Savings Bank Co., Mar. 25; Toledo.
Commercial & Savings Bank Co., Mar. 25. Bellefontaine.
Prudential Trust Co., Mar. 27. Cleveland.
Prudential Savings Co., Mar. 27. Cleveland.
Grafton Banking Co., Apr. 2. Grafton.
Lakewood Savings & Banking Co., Apr. 15. Lakewood.
Central Ohio Loan & Trust Co., Apr. 16. Owen P. O.
Nottingham Savings & Banking Co., Apr. 23. Nottingham.
Shilo Savings Bank Co., May 2. Shiloh.
Bank of Cleveland Company, May 4. Cleveland.
Farmers & Merchants Bank Co., May 8. Bellaire.
State Savings Bank Co., May 8. Toledo.
Caxton Savings & Banking Co., May 3. Cleveland.
Central Trust Co., May 15. Cleveland.
Thornville Banking Co., May 20. Thornville.
Dollar Savings Bank Co., May 21. Akron.
Bank of Galena Company, Dec. 6. Galena.
Lima Savings Bank & Trust Co., Dec. 17. Lima.

Incorporated in 1902.

Home Savings & Banking Co., Jan. 3. South Brooklyn.
Peoples Bank Company, Jan. 27. Carey.
German Savings Bank Co., Jan. 27. Martins Ferry.
Peoples Banking & Trust Co., Feb. 4. Marietta.
Citizens Banking Co., Feb. 10. Norwalk.
Exchange Bank Co., Feb. 21. Grover Hill.
Grafton Savings Bank Co., Feb. 28. Grafton.
Payne State & Savings Bank Co., Mar. 18. Payne.
Farmers Bank & Savings Co., Mar. 20. Roandhead.
Shawnee Commercial & Savings Bank Co., Mar. 22. Shawnee.
Private Savings Bank Co., May 24. Toledo.
State Bank of Defiance County, May 28. Defiance.
Dollar Savings Bank Co., May 31. East Liverpool.
Rudoph Savings Bank Co., Apr. 15. Rudolph.
Citizens Banking Co., May 9. Salineville.
Provident Savings Bank & Trust Co., May 29. Cincinnati.
Commercial Bank & Savings Co., June 3. Bluffton.
Mechanics Savings Bank Co., June 13. Toledo.
Farmers & Merchants Bank Co., July 11. Metamora.

Orangeville Savings Bank Co., July 30. Orangeville.
Canton Savings & Trust Co., Aug. 7. Canton.
Helvetia Savings & Banking Co., Aug. 8. Cincinnati.
Genoa Banking Co., Aug. 13. Genoa.
South Side Savings Bank Co., (Sept. 16,) Aug. 30. Columbus.
American Savings Bank Co., Sept. 16. Toledo.
Steubenville Trust Co., Sept. 18. Steubenville.
Steubenville Savings Co. " " Steubenville.
Glenville Banking & Trust Co., Oct. 18. Glenville.
Fostoria Commercial Bank & Savings Co., Oct. 23. Fostoria.
Farmers Banking Co., Oct. 30. Greenwich.
West Lafayette Bank Co., Nov. 4. West Lafayette.
Jefferson Banking Co., Dec. 15. Jefferson.

Incorporated in 1903.

Farmers & Mechanics Trust Co., Jan. 6. Steubenville.
Mercantile Safe Deposit & Trust Co., Jan. 6. Toledo.
Lima Trust Co., Jan. 12. Lima.
Citizens Banking Co., Jan. 29. Beaver.
" Savings Bank & Trust Co., Jan. 29. Salem.
American Savings Bank Co., Jan. 29. Cleveland.
Security Savings Bank & Trust Co., Feb. 2. Portsmouth.

84 Incorporated in 1903. Cont.

Central Trust Company, Feb. 2. Cleveland.
Farmers Banking Company, Feb. 24. Rockford.
North Bloomfield Banking Co., Feb. 25. North Bloomfield.
Home Savings Bank Co., Mar. 13. Cincinnati.
Ohio State Bank Co., Mar. 16. Liberty Center.
Merchants & Farmers Bank Co., Mar. 17. Hilliards.
Hamden Savings Bank Co., Mar. 20. Hamden Junction.
Cosmopolitan Bank & Savings Co., Mar. 24. Cincinnati.
Ostrander Banking Co., Mar. 24. Ostrander.
South Western Ohio Trust Co., Apr. 9. Dayton.
Farmers & Merchants Bank Co., Apr. 20. Grove City.
Grove City Savings Bank Co., Apr. 21. Grove City.
Southern Ohio Savings Bank Co., Apr. 21. Cincinnati.
Security Loan & Trust Co., Apr. 22. Newark.
Dayton Savings & Trust Co., Apr. 28. Dayton.
Ridgeway Banking Co., May 1. Ridgeway.
Citizens Banking & Trust Co., May 2. Coshocton.
Peoples Banking & Trust Co., May. 11. Coshocton.
Martin Bank Co., May 25. New Straitsville.
Reserve Trust Co., June 9. Cleveland.
St. Marys Banking & Trust Co., June 11. St. Marys.
Carrollton Savings & Banking Co., June 26. Carrollton.
State Savings Bank Co., July 2. Canal Dover.
Hardin County Bank Co., July 12. Forest.
Ohio Trust Co., July 24. Norwalk.
Amanda Bank Co., July 27. Amanda.

Lincoln Savings & *Savings* Co., July 30. Cleveland.
Proctorville Bank Co., Aug. 17. Proctorville.
Reeves Banking & Trust Co., Aug. 11. Dover.
Peoples Savings Bank Co., Sept. 22, Byesville.
Euclid Avenue Trust Co., Sept. 30. Cleveland.
Jefferson County Bank Co., (Se) Oct. 16. Mingo.
First Savings & Banking Co., Oct. 15. Dayton.
Clinton Savings Bank Co., Oct. 23. Clinton.
Ottoville Bank Co., Oct. 24. Ottoville.
Citizens Banking Co., Nov. 13. Berlin Heights.
Peoples Bank Co., Dec. 1. Canal Winchester.
Applecreek Banking Co., Dec. 1. Apple Creek.
Market Savings Bank Co., Dec. 3. Toledo.
Farmers & Merchants Bank Co., Dec. 5. Amanda.
Farmers Banking Company, Dec. 16. Lake View.
Commercial Bank Co., Dec. 26. Macksburg.
Norwood Savings Bank & Trust Co., Dec. 30. Norwood.
Security Savings Bank & Safe Deposit Co., Dec. 31. Cincinnati.

Incorporated in 1904.

Citizens Banking Co., Jan. 7. Waynesfield.
State Savings Bank Co., Jan. 16. Oberlin.
Bolivar State Bank Co., Jan. 20. Bolivar.
Peoples Savings Bank Co., Jan. 26. Mt. Gilead.
Farmers & Merchants Bank Co., Feb. 11. Millersburg.
Defiance City Bank Co., Mar. 4. Defiance.
Peoples Bank Co., Mar. 8. Pataskala.
North Fairfield Savings Bank Co., Mar. 9. North Fairfield.
Groveport Bank Co., Mar. 15. Groveport.
North Side Savings Bank Co., Mar. 21. Columbus.
Savings Bank Co., Mar. 26. Warren.
Scott Bank Co., Mar. 27. Scott.
Colonial Savings Bank & Trust Co., Apr. 19. Fremont.
Bank of Port Washington Co., Apr. 27. Port Washington.
Ohio Savings Bank Co., Apr. 27. Akron.
Reynoldsburg Bank Co., Apr. 28. Reynoldsburg.

85 Incorporated in 1904. Cont.

North Lawrence Banking Co., May 13. North Lawrence.
Smithville Banking Co., May 13. Smithville.
Farmers & Citizens Savings Bank Co., May 24. Germantown.
Citizens Bank Co., May 26. Ansonia.
Peoples Savings Bank Co., June 2. Greenfield.
Kipton Bank Co., July 2. Kipton.
Sun Savings Bank Co., July 22. Rising Sun.
Frazeysburg Savings & Loan Co., July 27. Frazeysburg.
Cuyahoga Falls Savings Bank Co., July 28. Cuyahoga Falls.
Farmers Bank & Trust Co., Aug. 8. Pomeroy.
Farmers Savings Bank Co., Aug. 26. Ashley.
Youngstown Savings & Banking Co., Sept. 6. Youngstown.

Cambridge Savings Bank Co., Sept. 23. Cambridge.
Capitol Savings & Trust Co., Oct. 5. Columbus.
American Banking Company, Oct. 5. Sandusky.
Putnam County Banking Co., Oct. 19. Ottawa.
Produce Exchange Bank. Co., Nov. 10. Columbus.
Dollar Savings Bank Co., Nov. 14. Monroeville.
Bank of Ottawa Company, Nov. 14.
Farmers & Citizens Banking Co., Nov. 14.
Peoples Bank Co., Nov. 21.
Citizens State Banking Co., Nov. 22.
Bank of Corning Co., Nov. 23.
Farmers Banking Co., Nov. 28.
Peoples Savings Bank Co., Dec. 6.
Willoughby Banking Co., Dec. 12.
Lorain Savings & Trust Co., Dec. 20.

86 Incorporated in 1905.

Oakwood Deposit Bank Co., Jan. 4,
Security Trust and Savings Bank, Jan. 12,
Stock Yards Bank and Trust, Jan. 14,
Stock Yards Bank and Trust Co., Jan. 17,
Peoples' Banking Co., Jan. 17,
Lincoln Savings Bank Co., Jan. 24.
Mt. Vernon Avenue Bank Co., Jan. 24.
Queen City Savings and Trust Co., Jan. 25,
Superior Savings and Trust Co., Jan. 27,
Citizens' Savings Bank Co., Jan. 30,
Citizens' Savings Bank Co., Jan. 31.
Doylestown Banking Co., Feb. 6
Citizens Savings and Loan Co., Feb. 8.
Morral Banking Co., Feb. 14;
Ganbier Banking Co., Feb. 18
Commercial Savings Bank Co., Feb. 28,
Commercial Savings and Trust Co., Mar. 27,
First Mortgage Banking Co., Mar. 28,
Ashland Bank and Savings Co., Mar. 31,
Harrisburg Savings and Banking Co., Apr. 4,
Commercial Bank Co., Apr. 12
State Savings Bank Co., Apr. 24,
Security Savings Bank Co., April 26,
Home Banking Co., May 4.
American Savings Bank Co., May 27,
Bettsville Banking Co., June 1.
Chardon Savings Bank Co., June 2,
American Safe Deposit and Trust Co., June 6,
Dollar Savings Bank Co., June 14,
Northern Savings Bank Co., June 14
Commercial Bank Co., June 26,
College Corner Banking Co., July 3,
Citizens' Savings and Trust Co., July 3,
Worthington Savings Bank Co., July 25,

Iron City Savings and Banking Co., July 29,
Conneaut Banking and Trust Co., Aug. 14
Winchester Bank Co., Sept. 1,
Kirkersville Saving Bank Co., Sept. 11,
Castalia Banking Co., Sept. 14,
Co-Operative Trust Co., Oct. 2
Utica Savings Bank Co., Sept. 28
Lorain Banking Co., Oct. 4,
Minerva Savings and Trust Co., Oct. 23,
Farmers' and Merchants' Bank Co., Nov. 10,
Peoples' Bank Co., Nov. 20,

Incorporated in 1906.

Walnut Hill Savings and Banking Co., Jan. 12,
Security Savings Bank and Trust Co., Jan. 15,
Security Savings and Trust Co., Jan. 16,
Licking County Bank and Trust Co., Jan. 18,
Farmers' and Traders' Banking Co., Feb. 1,
Centersburg Savings Bank Co., Feb. 3,
Bremen Bank Co., Feb. 8,
State Savings Co., Feb. 9,
Peoples' Bank and Savings Co., Feb. 13,
Farmers' and Merchants' Banking Co., Feb. 14,
Farmers' Savings and Trust Co., Feb. 17,
State Savings Bank Co., Feb. 24,
Peoples' Banking Co., Mar. 2,
Columbiana Bank and Savings Co., Mar. 3.
Lowellville Savings and Banking Co., Mar. 8,
South Akron Banking Co., Mar. 19,
Peoples' Bank Co., Mar. 19,
Commercial and Savings Bank Co., Mar. 27.

87 Incorporated in 1906, Cont.

Amherst German Bank Co., Apr. 5,
Peoples' Savings and Banking Co., Apr. 10
Farmers' State and Savings Bank Co., Apr. 11,
Guaranty Savings and Trust Co., Apr. 19
Peoples Savings Bank Co., April 23,
Richwood Banking Co., Apr. 25,
Farmers' Savings Bank Co., Apr. 28,
Kensington State Bank Co., May 10,
Commercial and Savings Bank Co., May 16,
Cummings Trust Co., May 18,
Perrysburg Banking Co., May 25,
New Berlin Banking Co., May 25.

88 [Endorsed:] Filed June 22nd, 1906. Supreme Court of Ohio. L. E. Emerson, Clerk.

Endorsed on cover: File No. 20,411. Ohio supreme court. Term No. 446. Corwin D. Bachtel, plaintiff in error, *vs.* R. Frank Wilson, sheriff of Stark county, Ohio. Filed October 9th, 1906. File No. 20,411.